

# HOUSE OF REPRESENTATIVES—Tuesday, November 5, 1985

The House met at 1 p.m. and was called to order by the Speaker pro tempore [Mr. WRIGHT].

## DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
November 4, 1985.

I hereby designate the Honorable JIM WRIGHT to act as Speaker pro tempore on Tuesday, November 5, 1985.

THOMAS P. O'NEILL, Jr.,  
Speaker of the House of Representatives.

## PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Help us, gracious God, to use the gifts available to Your people—the gifts of charity and justice, of wisdom and knowledge, of forgiveness and mercy, of grace and love and peace. May we recognize our responsibility to use Your gifts wisely, making good use of the time. We pray in Your holy name. Amen.

## THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed without amendment joint resolutions of the House of the following titles:

H.J. Res. 126. Joint resolution to designate the week of November 3, 1985, through November 9, 1985, as "National Drug Abuse Education Week"; and

H.J. Res. 282. Joint resolution designating the week beginning October 27, 1985, as "National Alopecia Areata Awareness Week."

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2965. An act making appropriations for the Departments of Commerce, Justice,

and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1986, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2965) "An act making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1986, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. RUDMAN, Mr. LAXALT, Mr. STEVENS, Mr. WEICKER, Mr. HATFIELD, Mr. SPECTER, Mr. HOLLINGS, Mr. INOUE, Mr. BUMPERS, Mr. CHILES, and Mr. LAUTENBERG to be the conferees on the part of the Senate.

The message also announced that the Senate had passed joint resolutions of the following titles, in which the concurrence of the House is requested:

S.J. Res. 130. Joint resolution designating the week beginning on November 10, 1985, as "National Blood Pressure Awareness Week";

S.J. Res. 213. Joint resolution to designate January 19 through January 25, 1986, "National Jaycee Week"; and

S.J. Res. 219. Joint resolution to designate the week of February 9, 1986, through February 15, 1986, as "National Humanities Week, 1986."

## APPOINTMENT OF CONFEREES ON H.R. 3424, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1986

Mr. NATCHER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3424) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1986 and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky? The Chair hears none and, without objection, appoints the following conferees: Messrs. NATCHER, SMITH of Iowa, OBEY, ROYBAL, STOKES, EARLY, DWYER of New Jersey, HOYER, WHITTEN, CONTE,

O'BRIEN, PURSELL, PORTER, and YOUNG of Florida.

There was no objection.

## PRIVATE CALENDAR

The SPEAKER pro tempore. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

## STEVEN McKENNA

The Clerk called the bill (H.R. 1598) for the relief of Steven McKenna.

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

## PAULETTE MENDES-SILVA

The Clerk called the bill (H.R. 2316) for the relief of Paulette Mendes-Silva.

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER pro tempore. This concludes the call of the Private Calendar.

## DO WE NEED COMPETITION BETWEEN FEDERAL MEDICAL FACILITIES?

(Mr. ROWLAND of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROWLAND of Georgia. Mr. Speaker, I take this time to advise the Members of another opportunity to impact on the budget deficit. Last week we passed the DOD Appropriation Act of 1986 and the conference report on the Veterans Health Care Amendments of 1985. In addition, we found ourselves enacting legislation which would drastically reduce our budget deficits over the next 5 years. I draw these three bills together for your attention because in them I find an opportunity for achieving cost savings to the Government. In fact, as chairman of the House Grace Caucus' Task Force on Health, this is the kind of issue that I believe could be more appropriately addressed through a greater sharing of resources.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Boldface type indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

I am particularly concerned about this today as the result of a newspaper article discussing the Federal medical facilities in Augusta, GA. The DOD bill appropriated additional funds to assist in reaching acceptable levels of staffing at the Eisenhower Army Medical Center. The VA bill includes a provision to ensure the equitable distribution of medical facilities throughout the United States. As the Members will recall, our alternative to Gramm-Rudman-Hollings may well require substantial cuts in VA and DOD medical programs. According to that news item, the Army hospital has insufficient nurses, while the VA hospital doesn't "have enough work for their nurses." Further, General Lanoue, Eisenhower's director, wants to establish a ward at the VA for his hospital's doctors to work along with VA nurses. Unfortunately that may not be as simple as it should be. As he points out: "The VA is totally separate from the Department of Defense, but we both are Federal hospitals, and it seems there should be a way for us to work this out." He adds, "But there's a thicket of redtape we all must face."

Mr. Speaker, it's about time we started to seriously address that redtape rather than indiscriminately applying a meat ax to our medical programs. Surely, we can find ways to end this senseless competition for manpower and financial resources. By so doing we could plan rational reductions without threatening the quality or level of services we provide to our citizens.

#### MEETING EPA'S VEHICLE EMISSION INSPECTION COMPLIANCE STANDARD

(Mr. HILLIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILLIS. Mr. Speaker, it has been 6 months since the EPA announced it would initiate procedures to cut Federal transportation funds to Lake and Porter Counties unless the State of Indiana took steps to improve the vehicle emission inspection compliance rate.

It is my pleasure to report today that great progress has been made toward meeting EPA's minimum compliance standard of 90 percent.

In April, only 48 percent of the region's vehicles had been inspected and no enforcement mechanism existed. As of last week, the compliance rate had soared to 80 percent and the State was well into a new program of ticketing vehicles which did not display an inspection sticker.

It is possible that we will reach the 90 percent compliance rate by the end of the year.

The credit for this turn around goes to Governor Orr, local law enforce-

ment officers, the mass media and the Indiana Vocational Technical College [Ivy Tech] which runs the inspection program.

I have written to the EPA asking that they review these latest figures and take note of the good faith efforts which have been made toward emission compliance.

I believe those efforts should be rewarded by lifting the threat of sanctions.

#### SATELLITE EARTH STATION DAY

(Mr. TAUZIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAUZIN. Mr. Speaker, hundreds of home satellite Earth station owners, dealers, distributors, and manufacturers assembled last Wednesday on the Washington Mall to celebrate "Satellite Earth Station Day," the first anniversary of the signing of the Cable Communications Act of 1984 which affirmed dish owners' legal rights to receive unscrambled cable satellite programs.

Mr. Speaker, it was an impressive display of this new communications technology. It is a growing one, and it enables many citizens for the first time to receive a variety of educational, informational, and entertainment programming.

But the work of the Congress must continue. Many networks and programmers have announced that they will soon begin to scramble their signals—effectively locking out millions of Americans who, only with the advent of the satellite dish, can now view this programming.

Mr. Speaker, we must ensure that citizens have access to these and other programming at fair and reasonable prices. Although program distributors have the right to charge for their services, the decoding equipment—necessary to unlock the scrambled signals and the signals—must be available at reasonable and competitive rates. I have introduced H.R. 1840 to ensure that this occurs.

Among the speakers at the first anniversary celebration Wednesday was Congressman TIM WIRTH, chairman of the Telecommunications Subcommittee of Energy and Commerce, who announced that hearings will be held in January to look into these issues. This is welcome news to satellite owners, distributors, manufacturers, and many of us who worked on the Cable Communications Policy Act of 1984.

#### THE ROLE OF SOCIAL SECURITY RECIPIENTS IN ATTACKING THE FEDERAL DEFICIT

(Mr. SHAW asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. SHAW. Mr. Speaker, in the last 2 weeks we have finally seen the Federal deficit's potential for economic disaster realized. Because of an inability to agree on debt ceiling and balanced budget legislation, the Social Security Trust Fund has been divested of its surplus. But I would like to take this opportunity to clear up some common misperceptions that are circulating on whose fault this really is.

When the House passed the Gramm-Rudman version modified by the Democrats, it was with the knowledge that the Senate would never accept it. The House then voted to adjourn, ending all chances of reconciling the differences before the deadline for divestiture of the Social Security Trust Fund. This was an irresponsible action by the majority party in the House and it is that which will cost the Social Security Trust Fund millions of dollars.

I for one feel that the Social Security recipients of this country have already been called upon enough in our fight to eliminate the Federal deficit.

Two critical points have been proven in this exercise. The first one is that it is not the Democrats who have the best interest of Social Security at heart—it is the Republicans. And the second one is that without Gramm-Rudman we are only going to see more financial disasters like this one, not less.

□ 1310

#### WHITE HOUSE CHARGED WITH MISHANDLING MEDVID CASE

(Mr. PEASE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PEASE. Mr. Speaker, I rise to voice my anger over the recent mishandling by White House, U.S. State Department and Immigration and Naturalization Service [INS] officials of Ukrainian sailor Miroslav Medvid's possible request for political asylum.

First of all, the United States has long championed international respect for basic human rights. Our concern about the imprisonment within the Soviet Union of such brave individuals as Anatoly Scharansky and Irina Ratushinskaya, and the oppression of other Soviet dissidents including Andrei Sakharov, has been cheapened by our handling of the Medvid case.

Here we have a Soviet sailor who attempted twice to escape from a Soviet vessel in United States waters, who reportedly upon his first attempt was severely beaten after being returned to his vessel, and who was returned after his second escape attempt by our INS officials. Mr. Medvid remains there a virtual prisoner—unable to communi-



cate further with United States officials except at the pleasure of the Soviet captain. We can well imagine what fate awaits Mr. Medvid upon his return to the Soviet Union.

Second, my colleague, Congressman EDWARD FEIGHAN, and I have expressed the concern of several of our constituents who may be relatives of Mr. Medvid, but the White House is stonewalling us. Our constituents are currently in New Orleans with other individuals who seek to communicate with Mr. Medvid and to advise him of their presence.

On Friday, November 1, Congressman FEIGHAN and I sent a telegram to President Reagan urging him to detain the Soviet vessel *Marshal Konev* in United States waters until contact is made directly with Mr. Medvid at a neutral site by Immigration and Naturalization Service officials again, and by what may be his family, and until Mr. Medvid is able to make his desires more clearly known. Yesterday, Congressman FEIGHAN and I sent a letter to Ambassador Anatoliy Dobrynin urgently requesting that our constituents be permitted to communicate directly with Mr. Medvid.

Please join me in our appeal to President Reagan and the Justice Department to take immediate and corrective action to insure that the human rights of Mr. Miroslav Medvid are afforded him while he is here in the United States. This young sailor is entitled to every opportunity under law to pursue political asylum in what he has described as an "honest country."

If the Reagan administration cannot stand up for a Ukrainian freedom-fighter in our midst, what is Mikhail Gorbachev to conclude?

#### LEGISLATION TO GUARANTEE REPLENISHMENT OF SOCIAL SECURITY TRUST FUNDS

(Mr. ARCHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARCHER. Mr. Speaker, on a Richter scale of Social Security crises, the disinvestment of the trust funds certainly has a high magnitude. In order to minimize the aftershocks, I want to reassure beneficiaries and workers that Congress will enact legislation to credit the trust funds for the interest lost during the debt ceiling crisis.

No program enjoys such broad support as does Social Security. The issue is not whether Congress will act to restore that lost interest—but how.

My colleague from Nebraska, HAL DAUB, and I are introducing legislation which will both make the Social Security trust fund whole when this immediate debt limit crisis is resolved and to provide that the Social Security trust

funds cannot be used in this manner again in the future.

Specifically, the so-called advance tax transfer mechanism in current law has outlived its utility and needs to be modified so that the Social Security trust funds directly receive the payroll taxes, rather than diverting them through general revenues.

It's imperative that we adopt this corrective legislation as quickly as possible so that public confidence in Social Security is restored and so that the trust funds themselves are completely replenished.

#### ROANOKE VALLEY, VA, SUFFERS WORST FLOODING IN HISTORY

(Mr. OLIN asked and was given permission to address the House for 1 minute.)

Mr. OLIN. Mr. Speaker, yesterday and last evening the lion's share of the Sixth Congressional District of Virginia suffered its worst flood in recorded history. The worst problem was in the Roanoke Valley, Roanoke County, and Salem, where the waters of the Roanoke River rose 23 feet. Countless businesses and homes have between 10 and 15 feet of water in them. This is worse than Hurricane Camille that hit us in 1969.

The storm was widespread. It included not only the Roanoke Valley but the cities of Buena Vista, Waynesboro, Covington, and Clifton Forge, and the counties of Botetourt, Alleghany, Rockbridge, Augusta, Bath, and Amherst.

Federal agencies, represented by the Corps of Engineers and the Federal Emergency Management Agency, are on the scene. They are working well in a coordinated fashion to deal with the immediate problem of getting people into a safe situation and restoring vital services of power, water, and so on.

The Governor has declared that these areas are in a state of emergency. I fully expect that the Governor will determine that the degree of damage is sufficient to call the Federal Government into the act, and we expect the President to be asked within a matter of days to declare a state of emergency.

Mr. Speaker, I urge the President, when this request comes, to act on it affirmatively. We have a very serious disaster in this area.

#### PERMISSION FOR SUBCOMMITTEE ON SURFACE TRANSPORTATION AND SUBCOMMITTEE ON PUBLIC BUILDINGS AND GROUNDS OF THE COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION TO SIT ON VARIOUS DAYS THIS WEEK DURING THE 5-MINUTE RULE

Mr. GRAY of Illinois. Mr. Speaker, I ask unanimous consent that the Sub-

committee on Surface Transportation of the Committee on Public Works and Transportation be permitted to sit during the 5-minute rule on Tuesday, Wednesday, and Thursday of this week; and further, Mr. Speaker, I ask unanimous consent that the Subcommittee on Public Buildings and Grounds of the Committee on Public Works and Transportation be permitted to sit during the 5-minute rule on Thursday next.

The SPEAKER pro tempore (Mr. DE LA GARZA). Is there objection to the request of the gentleman from Illinois?

There was no objection.

#### POLITICAL ASYLUM FOR MIROSLAV MEDVID

(Mr. RITTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RITTER. Mr. Speaker, information is coming to light on a daily basis on the Miroslav Medvid defection, and all of this information points to the fact that this young Ukrainian sailor wished to defect. We have the interview with Irene Padoch. This is the original interview before he was taken back on the Soviet ship. We have the affidavits of the Wyman family whom he first saw when he jumped off the ship. We have the possibility that Miroslav Medvid actually has family within the United States.

Today, Mr. Speaker, I am introducing a resolution calling upon the President to conduct a complete investigation into whether or not Miroslav Medvid was accorded the proper rights and due process to be accorded in cases of this kind. If he was not accorded these proper rights and due process, I would ask that he be accorded these rights, and if he, after being accorded the appropriate rights and due process, decides to stay in the United States, that he be granted political asylum.

Mr. Speaker, I urge my colleagues to support this resolution of the Congress to the President.

#### GRANTING ASYLUM

(Mr. CROCKETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CROCKETT. Mr. Speaker, a Soviet sailor who jumped ship and who may have been seeking asylum in this country, is returned to his ship by United States immigration agents and the ensuing newspaper and TV outcry echoes in our ears. Attorney General Meese is reportedly outraged and the President orders an investigation.

One could wish that the President and the media had shown the same outrage and concern for the hundreds

of Haitians and Central Americans who have been summarily deported or imprisoned by that same Immigration Service in response to their request for asylum here from political persecution in their native lands.

In fact, today 11 individuals are on trial in Arizona for their efforts to provide sanctuary for Salvadorans seeking asylum, and hundreds of Haitians are still confined in our Federal detention centers.

This recent concern for the Soviet sailor and the tactical silence on the plight of the Haitians and Central Americans highlights and is indicative of the discriminatory treatment we accord refugees from Third World countries who seek asylum on our shores. Our concern and the protection of our laws should extend to all who seek a safe haven here from political persecution. And that law should and must be applied to all in the non-discriminatory and humane spirit in which it was written.

#### THE IMPACT OF THE DEFICIT REDUCTION AMENDMENTS ON FARM PROGRAMS

(Mr. DAUB asked and was given permission to address the House for 1 minute.)

Mr. DAUB. Mr. Speaker, one indication of sincerity is consistency. Initial opposition to the Gramm-Mack proposal was that it would force drastic cuts. Now with the Democratic amendment forcing far deeper cuts in many programs in the first year, the criticism seems to now be that Gramm-Mack doesn't cut enough.

As an example, the Rostenkowski amendment to Gramm-Mack will devastate the very heart of our support for the beleaguered American farmer. This basic support is in the form of deficiency payments. Under the Rostenkowski amendment, this program will be cut, assuming they are applied proportionally, by 6.7 percent in this fiscal year. Talk about balancing the budget on the backs of farmers!

This is not a remote possibility, this is what the House has already voted for in adopting the Rostenkowski amendment. Either the proponents of this amendment care more about partisan politics than the American farmer or they made a mistake.

While explaining this vote to farmers will be tough, it is going to be even tougher explaining a 6.7 percent target price cut which is written into law. That is why we can't let this get into law. Compared to a 6.7 percent cut, the most Gramm-Mack would reduce deficiency payments is 2 percent. Gramm-Mack treats farmers far more fairly because the cuts are distributed across the board and there is no phony chest beating about taking it out of the budget in the first year.

Mr. Speaker, farmers deserve better than this. Let's adopt Gramm-Mack to responsibly reduce budget deficits without treating them as pawns of partisan politics.

□ 1320

#### THE BEGINNING OF DEMOCRACY IN GUATEMALA

(Mr. ROEMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROEMER. Mr. Speaker, this weekend I cochaired a delegation of a handful of Members of the House and the Senate down to Guatemala as official United States observers of their election Sunday. They had their first election for a civilian President in about 35 years.

Accompanying me from the House were Congressman JOHN MCCAIN of Arizona and Congressman ATKINS of Massachusetts.

There are a couple of points I would like to make quickly for the House's benefit.

First, we could not see everything in Guatemala, but what we saw we liked. The turnout was heavy, the crowds were patient and the process seemed fair. The army was not in evidence. All of the political parties, and there were eight of them, expressed in the election. Even though six of them turned out to be losers, they still expressed confidence.

Now, we did not see everything, but what we saw we liked.

Second, a single day does not a democracy make. They have a long way to go.

And third, I am proud of the fact that they did so well on a single day.

It is in the best interest of all Americans, whether they live in Guatemala or the United States, that the move to democracy begun Sunday in Guatemala continues.

#### STREAMLINING FINES AND COSTS COLLECTED BY U.S. MAGISTRATES

(Mr. GEKAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEKAS. Mr. Speaker, today I am introducing a bill which would streamline the method by which fines and costs paid to U.S. magistrates are disposed of. Under the present system, Mr. Speaker, the kinds of fines and costs that can be levied by U.S. magistrates in those kinds of cases in which he is permitted to do so, those fines and costs are payable now to the U.S. Attorney's Office. Many times it appears that the U.S. Magistrates Office and the U.S. Attorney's Office could be literally miles apart. Sometimes those fines and costs go unpaid and

even when they do, they cause a great deal of inconvenience to everyone concerned, including the defendant who has to pay those fines and costs.

We ought to revert to the previous system whereby the fines and costs for the entire court system be paid into the clerk of courts. That is what this bill does. It will cause for the first time in a long time to have a streamlined methodology by which fines and costs paid at the lower level of Federal justice, at the U.S. magistrate's level, be paid directly to a single collector; namely, the clerk of courts.

#### PRESIDENT SHOULD RECOGNIZE AND HELP RESOLVE NATION'S CRITICAL NEED FOR STRATEGIC MINERALS

(Mr. REID asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. REID. Mr. Speaker, recent events in South Africa have caused us to focus attention on our Nation's strategic minerals policy and how we can reduce our own vulnerability to foreign supply disruptions.

There's no easy solution to this problem. We need to develop a long-term plan and new technologies to overcome our dependence on vital resources found elsewhere in the world.

Fortunately, we already can increase our efficient use of metals through recycling and improved manufacturing processes.

Congress recognizes the need for new developments, too. That's why we passed the Critical Materials Act more than 1 year ago. Now a law, it mandates that a special council assess our critical materials situation and create a plan for the development of substitute materials.

Unfortunately, the President has not yet appointed the council. And the administration has compounded this delay by calling for a 96-percent reduction in existing mineral stockpiles.

As the representative of a State that contributes greatly to the mineral strength of this Nation, I urge the President to recognize and help resolve this Nation's critical need for strategic minerals in terms of economic strength and national security.

#### CONGRESS SHOULD STAY IN SESSION ON FRIDAYS AND FINISH ITS BUSINESS

(Mr. SUNDQUIST asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SUNDQUIST. Mr. Speaker, I noticed with interest the hand wringing and the attention that has been given to why we have to disinvest from the Social Security Trust Fund and



the blaming that is going on. I would say that anybody who uses the Social Security issue as a political issue is wrong and unfair to our elderly.

I noticed with interest, Mr. Speaker, that the senior Senator from Kansas and the distinguished majority leader said words to the effect that he understands the problems of the House, that we have to leave this body at 5:47 on Friday afternoon, and maybe we are afraid to meet after dark.

I think maybe some criticism is correct of this body. I think it should be clear to everyone who observed what went on Friday, we saw pure politics. We saw a House bill that was hastily drafted, sent over to the other body, and then what happened—we leave and are unwilling in this body to try to work with the other body and to come and bring this to some conclusion.

We are seeing politics at its worst.

So I ask, Mr. Speaker, this week instead of leaving at 5:47 when there is lots of work to do, let us see if we cannot one time on a bipartisan basis stay and solve the problem.

#### THE VITAL CALIFORNIA SANTA ANA RIVER MAIN STEM

(Mr. BROWN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of California. Mr. Speaker, later today the House will take up H.R. 6, or the substitute for H.R. 3670, containing authorization for various rivers and harbor projects for the Corps of Engineers. One of those projects, the so-called Santa Ana River main stem in California, is of vital importance to my district. Unfortunately, the part that is of vital importance to my district has not yet been approved by the Corps of Engineers or the administration. I am reluctant to vote for or approve the bill under these circumstances.

I will, therefore, offer an amendment to strike this particular project so that I may have some voice in determining what the final approved design of this particular project will be, because it is of such vital interest to the constituents in my district.

I will take further time, of course, during general debate and on amendments to explain the detail of why I propose to strike the project at this time, but I take this time merely to alert my colleagues to take a close look at this particular project, which is the only one not yet approved that is contained in this bill.

#### GO TELL IT ON THE MOUNTAIN, BRAD REYNOLDS

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, the Reagan administration is of two minds. One part wants to tell the truth about what it is up to; the other side doesn't.

But one thing is sure, Reagan's minions must have missed the civil rights movement the first time around. Otherwise, why the rush to claim themselves a second generation of advocates come down from the mountain-top to make a new revolution, truth or no truth?

Mr. Reagan's foot soldiers are fast at work. On Monday, the New York Times revealed the administration's hidden gospel. Vice Chairman of the U.S. Commission on Civil Rights Morris B. Abram, claimed before the world the home truth of his agency on women's and minority rights:

"Comparable worth moves from the assertion of civil and political equality, which we all support, to economic and social equality, which many of us do not support."

In today's Washington Post, Assistant Attorney General Brad Reynolds, tells us how you can be for civil rights and against social equality. You just say you are. First, you claim you are the legitimate heir to the Reverend Martin Luther King, Jr.; second, you proclaim that those who actually walked with King from Memphis to Montgomery have lost touch with what minorities really want; and finally, you wage a campaign of misinformation and fear.

But I ask you, how can you be for civil rights if you are against social rights?

It looks as if Mr. Reynolds has a new wrap. But the truth is it's warped. We can still look through it and see it is the same old sham.

#### THE WALKER PLEA BARGAIN IS A DISGRACE

(Mrs. BENTLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BENTLEY. Mr. Speaker, last week, the Justice Department announced a plea bargain in the Walker case. For years, two men had committed treason against this country but would not feel the full brunt of American law. Instead, these traitors will be the beneficiaries of a plea bargain.

The reason offered by the Justice Department for this plea bargain is that the Walkers will tell us what they had sold to our enemies. And for this, they would receive leniency.

This is wrong, and is a perversion of our legal system.

The Walkers should have been tried, and should have received the maximum sentence. They should not have been allowed to improve their positions by selling the same information

twice—this time not for money but for years in a prison sentence.

The Justice Department should remember that other once and future spies will look at this case and decide that they too can commit further treason against this country—if they keep a detailed record of the secrets they sold.

We should hold the Walkers up as an example—if you commit treason, you will pay for it.

The real crime in plea bargaining with the Walkers would be the possible erosion of America's newfound patriotism.

#### RONALD REAGAN, THE COOKIE MONSTER

(Mr. ALEXANDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALEXANDER. Mr. Speaker, most Americans are familiar with Sesame Street's famous Cookie Monster, whose role in life is to search for cookies, cookies, and more cookies.

Well, we have discovered a new Cookie Monster, named Ronald Reagan. Ronald Reagan has found his way into the Federal Treasury and is madly gobbling up all the goodies in sight.

Apparently, near the end of the summer, President Reagan secretly invaded the Social Security Trust Funds and gobbled up billions of dollars, which had been carefully invested to ensure the solvency of the Social Security Program. A second invasion occurred last weekend. Now Social Security may not be able to meet its obligations next month.

Mr. Speaker, since August this House has voted three separate times to avert a fiscal crisis and to protect these Social Security funds from the administration's monkey business. In all three cases, we were met by opposition from the President, inaction by the other body, and indifference by the Republican Party.

Mr. Speaker, the people of this country should be assured that the Democratic leadership in this House is determined to force a restoration of these stolen funds. However, it is regrettable that finally the Republican Cookie Monster was allowed to get his hands into the Social Security cookie jar, because, unfortunately, all that is left are the crumbs.

#### CONGRATULATIONS TO GUATEMALA FOR FREE AND FAIR ELECTIONS

(Mr. SHUMWAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHUMWAY. Mr. Speaker, today, as we exercise the most precious right of democracy, the right to vote in free and open elections, I believe we should take a moment to recognize and congratulate Guatemala for its significant democratic achievement in completing free and fair elections on November 3. The Washington Post reported today that the unofficial results of the Guatemalan election show Vinicio Cerezo, the Christian Democratic candidate, to be the winner of the Presidential contest. Most notably, Cerezo, a representative of the center-left, "hailed the role of the current military chief of state \* \* \* and said there was no Army intervention in yesterday's balloting." This view was echoed by the bipartisan American delegation, headed by Senator LUGAR, which served as election observers.

With this momentous accomplishment of peacefully exchanging military for civilian rule, Guatemala joins the growing group of Central American nations that are successfully establishing democratic governments. Together with Costa Rica, Honduras, Panama, and El Salvador, Guatemala is working to create a political environment in which broad and lasting social and economic reform can take place. In a region of vital importance to the security and foreign relations of the United States, the advancement of Central American democracy provides evidence of the positive results of U.S. encouragement and diplomacy. Only in Nicaragua does the impetus toward democratic progress continue to be forcefully repressed; only when the Nicaraguan Government makes peace with its population and with its neighbors will the democratic achievements of Guatemala and the other nations of the region be secure.

□ 1335

#### WE NEED FAIR TRADE NOW

(Mr. MOLLOHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MOLLOHAN. Mr. Speaker, last week, Mr. John Fry, president of Wheeling-Pittsburgh Steel Corp., contacted me to express once again his dismay at this administration's trade policy and its abandonment of "Basic Industry America."

Mr. Fry repeated that unfair foreign steel imports are capturing America's domestic market at historically high percentages. I advised Mr. Fry that it is apparent that the President and his administration are not committed to reducing imports, pure and simple.

Last year, the Fair Trade in Steel Act was moving through the Congress when President Reagan sidetracked the effort by promises that he would negotiate voluntary restraints. He

promised to limit imports of steel to 18.5 percent of the domestic market; however, events have given that promise a hollow ring as steel imports into this country have averaged 26 percent during the last 12 months, and reached 30 percent in the month of September.

Those cold statistics translate into thousands of real, live, unemployed steelworkers.

Mr. Fry, I am afraid the President's steel import policy is a good example of his trade policy generally. It is not so much a trade policy at all. It is a political damage control policy. When criticism runs high, he promises action that somehow never materializes.

We need fair trade now.

#### YOUTH EMPLOYMENT OPPORTUNITY WAGE ACT OF 1985

(Mr. DORNAN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORNAN of California. Mr. Speaker, I rise today in support of the Youth Employment Opportunity Wage Act of 1985. It was introduced earlier this year by my good friend and colleague TRENT LOTT.

Teenage unemployment, especially among blacks and Hispanics, is a deadly serious national problem. However, we can improve the situation by passing the bill of my colleague, the gentleman from Mississippi.

Think about it for a moment. Who bears the burden of the minimum wage? In economic parlance they are the marginal workers, or those whom employers perceive as being less productive or more costly to employ than others. Unfortunately, youths in general, and minority youths in particular, are most heavily represented in this category.

Thus, the minimum wage has actually worked against minority employment. Yet we still hear arguments for its retention from labor unions. The unions claim that a youth subminimum wage would be exploitation. In fact, unions are merely trying to eliminate low-wage competition, but what better way to do it than with a minimum wage that is higher than what many unskilled workers are worth.

The real problem is not that people are underpaid, but that they are underskilled. And the only way our youths are going to pick up the skills that they need to compete in the marketplace is by getting that all important first job in the private sector, and learning how to set an alarm clock and go to work.

For many youths that first job is their best shot at a decent future for themselves and their families. I would therefore urge my colleagues to put aside their well intentioned, but misguided, support for a minimum wage

for unskilled young workers that only fosters minority unemployment and lessens competition. I ask my colleagues to support the Lott bill, H.R. 1811. By doing so this Congress will be taking a strong stand for free enterprise and against minority youth unemployment.

#### THE REAL TRUST BUSTERS

(Mr. LOTT asked and was given permission to address the House 1 minute and to revise and extend his remarks.)

Mr. LOTT. Mr. Speaker, I can only sit still for just so much cross-finger pointing on Social Security. Last Friday, the House of Representatives, as a matter of fact, passed a defective debt ceiling increase and kicked it over to the other body and then left town.

When we get down to it, the only vote that really counted was on whether or not we would stay around here Friday to stop disinvestment of the Social Security Trust Fund. Democrats voted 205 to 28 to adjourn and leave town before waiting to see if the Senate would act on this important issue, and also so that we could learn that we had made a mistake in the way we passed that deficit reduction package.

By your votes ye shall be known as the real trust busters.

#### WATER RESOURCES CONSERVATION, DEVELOPMENT, AND INFRASTRUCTURE IMPROVEMENT AND REHABILITATION ACT OF 1985

Mr. MOAKLEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 305 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 305

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6) to provide for the conservation and development of water and related resources and the improvement and rehabilitation of the Nation's water resources infrastructure. All points of order against the consideration of the bill for failure to comply with the provisions of sections 311(a), 401(a), and 402(a) of the Congressional Budget Act of 1974 (Public Law 93-344) are hereby waived. After general debate, which shall be confined to the bill and to the amendment made in order by this resolution and which shall continue not to exceed three and one-half hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works and Transportation, the bill shall be considered for amendment under the five-minute rule. In lieu of the committee amendments now printed in the bill, it shall be in order to consider an amendment in the nature of a substitute consisting of the text



of the bill H.R. 3670 as an original bill for the purpose of amendment under the five-minute rule, said substitute shall be considered for amendment by titles instead of by sections, and each title shall be considered as having been read. All points of order against said substitute for failure to comply with the provisions of clauses 5(a) and 5(b) of rule XXI, and clause 7 of rule XVI, are hereby waived. No amendment to said substitute shall be in order which changes title XV. It shall be in order to consider en bloc the amendments to the substitute printed in the Congressional Record of November 4, 1985, by, and if offered by, Representative Howard of New Jersey or his designee, said amendments shall be in order although changing portions of the substitute not yet considered for amendment, and said amendments shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole, and all points of order against said amendments for failure to comply with the provisions of clause 5(a) of rule XXI are hereby waived. At the conclusion of the consideration of the bill for amendment, the committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute subject to the preceding sentence. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Massachusetts [Mr. MOAKLEY] is recognized for 1 hour.

Mr. MOAKLEY. Mr. Speaker, I yield the customary 30 minutes to the gentleman from Mississippi [Mr. LOTT], and pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 305 is the rule providing for the consideration of the bill H.R. 6, the conservation and development of water-related resources as well as improvements and rehabilitation of the Nation's water resources infrastructure. The bill will be considered under a modified open rule.

Mr. Speaker, the rule provides 3½ hours of general debate, equally divided between the chairman and ranking minority member of the Committee on Public Works and Transportation. Under an agreement between the committees, time will be yielded to the three other committees to which H.R. 6 was sequentially referred.

Mr. Speaker, prior to Rules Committee consideration, the four committees responsible for this bill negotiated a substitute text to be used as the basis for consideration. Reflecting this agreement, the committees accepted an arrangement under which general debate time is controlled by the Committee on Public Works and Transportation. I would note that the Rules Committee acted on the basis that there was a clear agreement on how time would be allocated. However, it was felt that this arrangement would provide greater flexibility in debate,

and possibly reduce the total time that would be needed.

I should stress that there is ample precedent for committees waiving time to which they are entitled, based on having received referral. Rules Committee action in allotting time does not affect the Speaker's authority in appointing conferees, nor does it have any standing as a precedent with respect to future referrals.

Mr. Speaker, the rule provides three waivers of points of order. However, I would point out that the rule provides for an amendment in the nature of a substitute to be considered as original text. The rule provides no Budget Act waivers for the text that the Clerk will actually read for amendment. Let me repeat, because it often causes confusion, that the Budget Act violations in the text are effectively cured by the amendment in the nature of a substitute made in order by the rule.

Mr. Speaker, H.R. 6 violates section 311(a) of the Budget Act. H.R. 6 contains several sections, subject to that point of order, creating new entitlement authority, not limited to the amount provided in appropriation acts, for a national board on water resources and policy and for certain project modifications.

The amendment in the nature of a substitute cures this Budget Act violation, which makes the waiver of section 311(a) purely technical.

Section 401(a) of the Congressional Budget Act prohibits the consideration of any measure which provides new contract authority unless such authority is limited to amounts provided in advance in appropriation acts. H.R. 6 authorizes borrowing not subject to appropriations. Mr. Speaker, section 107 of the bill authorizes borrowing by the Secretary of the Army to pay guarantees under the Federal port navigation project finding fund. This borrowing authority is not limited to advance appropriations, and thus the waiver of 401(a) is necessary.

However, the substitute, which will be considered as original text, cures this Budget Act violation. Mr. Speaker, this Budget Act waiver is a purely technical waiver that would allow for the consideration of the bill.

Mr. Speaker, House Resolution 305 also waives points of order under section 402(a) of the Congressional Budget Act against consideration of the bill. Because H.R. 6 authorizes new budget authority for fiscal year 1986, and was not reported by May 15, 1985, the bill is in violation of section 402(a). Mr. Speaker, this bill was referred to four committees. Because of the issues involved it was not feasible that the committees could report a bill of this size by the May 15 deadline. The waiver was granted in order to permit consideration of the bill in the House.

Mr. Speaker, as I stated earlier, H.R. 6 was sequentially referred to three committees. In order to expedite the process the committees agreed upon an amendment in the nature of a substitute to be considered in lieu of individual committee amendments to the bill. The Committee on Rules made in order an amendment in the nature of a substitute consisting of the text of H.R. 3670 as original text for the purposes of amendment. The substitute will be considered for amendment by title rather than by section, and each title will be considered as read.

In order to allow for the consideration of this amendment in the nature of a substitute, the Committee on Rules waived clause 5(a) of rule XXI, which prohibits appropriations in a legislative bill, this waiver was granted because several sections of the substitute call for some type of modification or redirection of prior appropriations.

In addition, House Resolution 305 waives clause 5(b) of rule XXI against the consideration of the substitute. Clause 5(b) prohibits the consideration of an amendment carrying a tax or tariff measure during the consideration of a bill reported by a committee having no tax or tariff jurisdiction. House Resolution 305 also waives points of order against the substitute for failure to comply with clause 7 of House rule XVI, the germaneness rule.

Mr. Speaker, this is an open rule, except that it prohibits any amendment changing title 15 of the substitute, which is the portion of the bill for which the Committee on Ways and Means is responsible.

Finally, Mr. Speaker, House Resolution 305 makes in order the en bloc consideration of amendments printed in the CONGRESSIONAL RECORD of November 4, 1985, to be offered by Representative HOWARD of New Jersey or his designee. The amendments shall be in order although changing portions of the substitute not yet considered for amendment. The amendments shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole, and all points of order against said amendments for failure to comply with the provisions of clause 5(a), rule XXI, are waived.

In addition, the rule provides one motion to recommit with or without instructions.

Mr. Speaker, this bill represents the best effort of four congressional committees; Public Works and Transportation; Merchant Marine and Fisheries; Interior and Insular Affairs; and Ways and Means. These committees devoted a lot of time and energy in reporting a fair bill that is long overdue. The last water resources development bill to be signed into law was in 1976, the last construction authorization bill became law in 1970. As a result, this bill is

quite complicated due to the need to address a 15-year backlog of proposed projects.

Mr. Speaker, there are many critical issues contained in this bill, and there are still some areas of controversy. However, House Resolution 305 allows for extensive debate and deliberation as well as the offering of all germane amendments so that the Members will have an opportunity to address their specific needs.

I strongly urge my colleagues to adopt House Resolution 305 so that we may proceed to this important legislation.

□ 1345

Mr. LOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 305 is a modified open rule providing for the consideration of H.R. 6, the Water Resources Act of 1985. The rule provides for 3½ hours of debate to be divided between the chairman and ranking minority member of the Committee on Public Works.

Mr. Speaker, there is some controversy over the allocation of time here since the Committees on Interior, Merchant Marine and Fisheries, and Ways and Means, all had sequential referral and reported on this bill. The Rules Committee, however, decided to give all the time to the Public Works Committee with the understanding that it in turn would allocate 1 hour each to the Ways and Means and Merchant Marine and Fisheries Committees, and one-half hour to the Committee on Interior.

Mr. Speaker, the rule further provides for three Budget Act waivers against the consideration of H.R. 6. The first is section 311(a) of the Budget Act, which prohibits the consideration of any legislation providing spending increases in excess of the aggregate level for spending in the most recent budget resolution. Since H.R. 6 as introduced and reported contains several sections creating new entitlement authority for items including a National Board on Water Resources Policy and certain project modifications, the bill would be subject to a point of order. However, the Committee on Public Works has agreed to offer a floor amendment to cure this violation, and the Budget Committee chairman has consequently indicated he would have no objection to this waiver.

Second, the rule waives section 402(a) of the Budget Act against consideration of the bill. That provision prohibits contract or borrowing authority unless provided for in advance in appropriations acts.

There are some three sections in the bill as introduced and reported which contain either new borrowing or contract authority which has not already been appropriated. Again, the Com-

mittees on Public Works and Merchant Marine have promised to offer technical amendments on the floor to cure these violations, and the Budget Committee chairman has not objected to the waiver with that understanding.

Finally, the rule waives section 402(a) of the Budget Act against consideration of the bill. That section prohibits the consideration of any legislation reported after May 15 preceding the beginning of the fiscal year in which it is to take effect. This bill was reported from Public Works on August 1, and from the other three committees in September. Obviously, that is not something that can be cured by an amendment, but the Budget Committee has agreed to the waiver, given the enormity of the task involved and the negotiations necessary to produce this bill.

Mr. Speaker, following general debate, the rule makes in order the text of the bill H.R. 3670 as an original bill for the purpose of amendment, and the following three House rules are waived against the consideration of that substitute: rule XXI, clause 5(a), which prohibits appropriations in a legislative bill; and clause 5(b), which prohibits revenue provisions in a bill not reported by the Ways and Means committee; and clause 7 of rule XVI, the germaneness rule.

The substitute made in order by the rule folds in title 15 as reported by the Ways and Means Committee, the revenue provisions, and that title is closed to amendment under the rule. Otherwise, the substitute will be read for amendment by title and open to any and all germane amendments. However, the rule first makes in order the en bloc consideration of amendments printed in yesterday's *RECORD* by Chairman HOWARD, waives clause 5(b) of rule XXI against them, and provides that they not be subject to a division of the question.

Finally, Mr. Speaker, the rule provides for one motion to recommit, with or without instructions.

Mr. Speaker, this is obviously a very complex rule, mainly because we have an extremely complex bill involving a multitude of projects, controversies, and committees. But the fact that we finally do have an omnibus water bill after a legislative drought of some 9 years is a real tribute to all the committees involved in this effort. And it's actually been 15 years since Congress enacted a truly comprehensive water bill.

As a result of our inaction, we have a growing problem of vitally needed new projects being held up while existing completed projects deteriorate for lack of operation and maintenance funds. As our ranking minority member on the Public Works Committee put it before the Rules Committee, "The Nation now has an infrastructure time bomb in its hands."

Mr. Speaker, H.R. 6 authorizes \$18 billion in water projects and programs, including port facilities, inland waterways, flood control structures, hydroelectric powerplants, fish and wildlife mitigation programs, municipal water supply systems, and other water projects. The bill alters the traditional project-by-project cost-sharing arrangements by establishing a standardized cost-sharing formula for construction of ports and flood control projects.

Mr. Speaker, in order to speed port development the bill establishes a new, \$1 billion a year revolving port trust fund to be funded from customs receipts and a new ad valorem tax on imports and exports.

For port improvement projects, the bill establishes a formula for local cost-sharing of 10 percent for ports up to 20 feet in depth; 25 percent for those between 20 and 45 feet, and 50 percent for the excess over 45 feet in depth.

Mr. Speaker, I did question in the Rules Committee whether the House was in a position of having this cost-sharing formula dictated to us by the other body, and was assured that this bill does not go as far as what the other body has proposed. Nevertheless, as a Member representing a port area, I do have concern that these local cost-sharing provisions could jeopardize the continued viability of a lot of ports in this country—ports which are not only vital to our commerce, but our national security as well. I hope this is something we can explore further as we debate and amend this bill.

However, Mr. Speaker, I do support this rule and urge its adoption so that we can get on with considering this historic and long-overdue piece of legislation.

Mr. MOAKLEY. Mr. Speaker, for purposes of debate only, I yield 1 minute to the gentleman from New Jersey [Mr. ROE], chairman of the subcommittee.

Mr. ROE. Mr. Speaker, I rise in support of House Resolution 305, the rule on H.R. 6, the Water Resources Conservation, Development, and Infrastructure Improvement and Rehabilitation Act. This bill contains project authorizations, authorizations of water resources studies, project modifications, and general provisions affecting the overall Water Resources Program of the Army Corps of Engineers. It also includes a title deauthorizing over 300 unconstructed Corps of Engineers projects or portions of projects, a title relating to water resources policies for all Federal agencies that establishes a new board on water resources policy to replace the currently authorized Water Resources Council, and a title which establishes a Federal interest in single-purpose



water supply projects and establishes a loan program for the repair, rehabilitation, expansion, and improvement of public water supply systems.

The last Water Resources Development Act was signed into law in 1976, and the last true Construction Authorization Act was signed into law in 1970. Consequently, over the past 15 years, a very large backlog of vitally needed water resources projects has accumulated. Detailed testimony and information was received on all these projects, and they have all been analyzed very carefully by our committee.

Our committee has also worked hard to ensure that this legislation is the most environmentally sensitive authorization bill we have ever developed. While the projects recommended by the corps to the committee were planned in full compliance with all existing environmental laws and regulations, the committee, in many instances, has gone beyond the recommendations of the corps to include in the authorizations for many of those projects a number of detailed provisions for the additional protection of environmental values.

We have also addressed the important question of cost sharing in this bill, recognizing the need to address present day fiscal considerations. For port projects, local interests will be required to contribute a portion of the construction costs, ranging from 10 percent to 50 percent, depending on the depth of the port. A uniform requirement for cost sharing is established for flood control projects at a minimum of 25 percent and a maximum of 30 percent. Also, one-third of the costs of the inland waterway projects will be paid out of the inland waterways trust fund, which is constituted from a fuel tax on commercial users of the inland waterways.

I strongly urge my colleagues to support this rule so that we may proceed to consideration of the bill.

Mr. LOTT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 305 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 6.

□ 1400

#### IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill

(H.R. 6) to provide for the conservation and development of water and related resources and the improvement and rehabilitation of the Nation's water resources infrastructure, with Mr. BOUCHER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the first reading of the bill is dispensed with.

Under the rule, the gentleman from New Jersey [Mr. HOWARD] will be recognized for 1 hour and 45 minutes and the gentleman from Minnesota [Mr. STANGELAND] will be recognized for 1 hour and 45 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. HOWARD].

Mr. HOWARD. Mr. Chairman, I yield 30 minutes of my time to the chairman of the Committee on Merchant Marine and Fisheries, the gentleman from North Carolina [Mr. JONES] or his designee, and I ask unanimous consent that he be allowed to yield that time as he wishes.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HOWARD. Mr. Chairman, I yield 15 minutes of my time to the chairman of the Committee on Interior and Insular Affairs, the gentleman from Arizona [Mr. UDALL] or his designee, and I ask unanimous consent that he be allowed to yield that time as he wishes.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HOWARD. Mr. Chairman, I yield 30 minutes to the chairman of the Committee on Ways and Means, the gentleman from Illinois [Mr. ROSTENKOWSKI] or his designee, and I ask unanimous consent that he be allowed to yield that time as he wishes.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HOWARD. Mr. Chairman, I yield myself such time as I may consume.

Mr. STANGELAND. Mr. Chairman, will the gentleman yield?

Mr. HOWARD. I yield to the ranking minority member of the Subcommittee on Water Resources.

Mr. STANGELAND. I thank the chairman for yielding.

I would, Mr. Chairman, as the gentleman from New Jersey has just done, yield 30 minutes to the ranking Republican member of the Committee on Merchant Marine and Fisheries, 15 minutes to the ranking Republican member of the Committee on Interior and Insular Affairs; and 30 minutes to the ranking Republican member of the Committee on Ways and Means, and I ask unanimous consent that

those members be able to yield their time as they so choose.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. HOWARD. Mr. Chairman, I rise in strong support of H.R. 6, the Water Resources Conservation, Development, and Infrastructure Improvement and Rehabilitation Act. This bill contains project authorizations, authorizations of water resources studies, project modifications, and general provisions affecting the overall Water Resources Program of the Army Corps of Engineers. This legislation includes several policy provisions including deauthorization of some 300 unconstructed Corps of Engineers projects or portions of projects, creation of a new Board on Water Resources Policy to review water resources policies for all Federal agencies and establishment of a loan program for the repair, rehabilitation, expansion, and improvement of public water supply systems.

Mr. Chairman, although this is an extremely complicated piece of legislation that has taken over 4 years of intensive work by our committee to develop, our efforts have been made much easier by the bipartisan nature of the problems addressed in the bill and by the strong support of all members of our committee on both sides of the aisle. In this regard, I would especially like to commend the efforts of our ranking minority member, the gentleman from Kentucky [Mr. SNYDER]—as well as the work of the ranking minority member of our Water Resources Subcommittee, the gentleman from Minnesota [Mr. STANGELAND]. Without their support and cooperation we could never have formulated a bill as comprehensive as this one is. And, of course, the greatest credit of all must go to the chairman of our Water Resources Subcommittee, the gentleman from New Jersey [Mr. ROE] for his tireless work in initially developing the legislation and in subsequently working out the compromises which have enabled it to enjoy such wide bipartisan support.

The last Water Resources Development Act was signed into law in 1976, and the last true Construction Authorization Act was signed into law in 1970. Consequently, over the past 15 years, a very large backlog of vitally needed water resources projects has accumulated. Detailed testimony and information was received on all these projects, and they have all been analyzed very carefully by our committee. As a result, this bill contains numerous authorizations for all types of water resources projects, including navigation projects, flood control projects, shore protection projects, fish and wildlife habitat mitigation projects, and other projects for the conservation and de-

velopment of our Nation's water resources. While the total number of projects appears large, it must be remembered that they represent well over a decade of detailed planning and study of water resources problems throughout the Nation, and will form the basis of the Nation's Water Resources Program for the rest of the century.

Our committee has also worked hard to ensure that this legislation is the most environmentally sensitive authorization bill we have ever developed. While the projects recommended by the Corps of Engineers to the committee were planned in full compliance with all existing environmental laws and regulations, the committee, in many instances, has included in the authorizations for those projects a number of detailed provisions for the additional protection of environmental values where concerns had been expressed.

H.R. 6 is based on H.R. 3678 of the last Congress, which was passed twice by the House by overwhelming votes—individually and as an amendment to the continuing resolution. Final agreement on that legislation, however, was not reached. While the two bills are similar, significant changes have been made in the area of cost sharing. Under the provisions of H.R. 6, non-Federal cost sharing is required for ports. The local share would be 10 percent for port depths of 14 to 20 feet, 25 percent for the increment of depth from 21 to 45 feet, and 50 percent for the increment of depth from 46 to 60 feet, and 50 percent for the increment deeper than 60 feet. In addition, local interests must pay the costs of any necessary lands, easements, and rights-of-way, including spoil disposal areas, but these costs are capped at 5 percent of the cost of the project. In addition, a tax of 0.04 percent is imposed on the value of the cargo loaded on or unloaded from a vessel.

The provisions in last year's bill establishing a local share of a minimum of 25 percent and a maximum of 30 percent for flood control projects is retained. However, an additional requirement that local interests pay 5 percent of the project cost during construction is added.

There are many desperately needed projects that have been denied funding for several years because there has been no authorization bill. During this time there have been attempts to fund some projects on an individual basis without regard to the authorization process. This bill will establish uniform Federal policy for a broad array of water resources projects. By setting policy with this type of legislation, we will allow funding to be based on the need for a project rather than creating a bidding war among local governments to determine which wealthy area can pay the highest local share.

This is the legislation that will maintain the direction over Federal water policy in the Congress, where it belongs, rather than allowing the executive branch to make those decisions.

Mr. Chairman, we hear far too much about the supposedly undesirable effects of water resources development and far too little about the enormous economic and environmental benefits that are associated with such development. The fact is that a careful reading of this bill and of our committee's report—and a careful examination of the history of our Nation's Water Resources Program—easily demonstrates the enormously beneficial role that this program has played and will continue to play in our Nation's development.

Mr. Chairman, I reserve the balance of my time.

Mr. STANGELAND. Mr. Chairman, I yield such time as he may consume to the gentleman from Kentucky [Mr. SNYDER] the ranking Republican member of the Committee on Public Works and Transportation.

Mr. SNYDER. Mr. Chairman, I rise in strong support of H.R. 6, the Water Resources Conservation, Development, and Infrastructure Improvement and Rehabilitation Act of 1985.

H.R. 6 is a tribute to the full committee chairman, JIM HOWARD, the subcommittee chairman, BOB ROE, and the subcommittee ranking minority member, ARLAN STANGELAND. These men, and many others, have spent days and nights over the course of 3 years on this comprehensive, crucial legislation. Their indepth analysis argues for the strong support I am confident H.R. 6 will receive.

The bill before us today is truly a landmark bill. For example, it takes a major step in forming a nationally coordinated water use policy. It also integrates, for the first time, the authorization and deauthorization of all types of water resource projects with the establishment of an equitable new Federal/non-Federal partnership—including cost-sharing requirements where appropriate. H.R. 6 embodies the belief that Congress can indeed develop a nationally coordinated policy that will ensure maximum benefits from one of our most vital national assets—our water resources.

It has been far too long since we have enacted a comprehensive water resources bill. The last omnibus bill became law in 1976, and the last major water resources construction authorization law dates back to 1970—15 years ago. During this period, our water resources infrastructure has deteriorated to the point where it is now in critical need of repair, rehabilitation and improvement. In addition, because no new projects have been authorized, a large backlog of proposed water resource initiatives has accumulated.

Our bill is a bold and innovative attempt to address these increasing concerns. The size and scope of H.R. 6 represents over a decade of detailed planning and study of national water resource problems. The bill makes numerous changes in the current water resources program to respond to new priorities and the needs of this diverse Nation. At the same time, it balances the need for new policies, including increased non-Federal cost-sharing, with sensitivity for existing economic conditions and important environmental values.

H.R. 6 provides a framework for strengthening our water resources infrastructure. It authorizes studies for potential water resources projects, modification of authorized projects, and construction of new projects for the Army Corps of Engineers. Projects authorized in the bill will strengthen local, regional, and national economies and encourage increased trade, which can improve our balance of payments. The bill contains programs for assistance to communities for the construction, repair, and rehabilitation of water supply systems and for protection from flooding and erosion. H.R. 6 also establishes a National Board on Water Policy to provide a nationwide source of professional expertise and cooperation between Federal, State and local entities.

In addition, the bill deauthorizes many older water resources development projects which have not been constructed and which are no longer necessary.

At the same time, this is a strong environmental bill. It creates a \$35 million Environmental Protection Mitigation Fund and an Office of Environmental Policy within the Corps of Engineers to formulate and carry out corps' policy on environmental quality.

Mr. Chairman, allow me to highlight some of the main features of H.R. 6. Title I deals with port development. In addition to authorizing numerous port projects throughout the country, this title establishes a \$1 billion a year fund to help finance construction, operation and maintenance of port and harbor improvement projects. The fund would be financed, in part, from a 0.04 percent ad valorem tax to be levied on imports and exports which is expected to generate between \$150 million and \$200 million per year in new revenues.

The cost-sharing provisions in title I, so crucial to the continued vitality of our Nation's harbors, largely reflect the recent compromise reached between Senate leaders and the administration. The non-Federal share of construction costs for port improvement projects with depths of 14 to 20 feet would be 10 percent in cash during construction, 25 percent for projects with depths between 20 and 45 feet,



and 50 percent for those with depths greater than 45 feet.

In addition to providing the up-front cash, the non-Federal share would include lands, easements, rights-of-way, relocations and spoil disposal areas up to a maximum of 5 percent of the total project costs.

Title II of the bill authorizes the use of revenues from the Inland Waterways trust fund to finance several locks and dams. Financing for the projects, which are to be built over a 7-year period, would come one-third from the trust fund and two-thirds from general appropriations.

Title III authorizes critically needed flood control projects and increases non-Federal cost-sharing for those projects authorized. Traditionally, local sponsors have been required to provide real estate interests and relocations necessary in connection with local flood protection. These costs have varied from project to project, averaging between 15 and 20 percent. Under our bill, the local interests would be required to provide needed real estate, but would have to provide at least 25 percent, though no more than 30 percent of total project costs. If the value of real estate interests needed for the project is less than 25 percent, the local share will be raised to 25 percent, but local project sponsors will be able to repay the difference over a 15-year period. In any event, the non-Federal interest must pay 5 percent of the costs during the construction period.

Title IV authorizes a variety of shore protection projects, and title V authorizes various mitigation projects. To ensure that any disruption caused by a Corps of Engineers' water resources project is minimized, the bill provides for the development and implementation of mitigation plans consisting of construction requirements, purchase of lands or easements for fish and wildlife purposes, and the development of habitat at projects.

Title VI provides authority for a variety of water resources studies, including a review of the Nation's flood problems and water supply needs.

Title VII modifies many existing corps' projects to reflect new conditions and needs. Like so many other provisions in our bill, this title addresses changed circumstances by authorizing the corps to make modifications to projects where our committee has determined that modifications are necessary.

Title VIII provides for Federal assistance, in the form of loans to local interests, for the expansion, rehabilitation, and improvement of water supply facilities. In a major new initiative to halt deterioration of water supply systems, the bill creates an \$800 million per year water supply loan program, making 50-year loans available for the repair of single and

multipurpose systems. Only applicants who agree to implement suitable water conservation programs would be eligible for the loans.

Title IX provides the necessary authorization to change the names of numerous water resources projects or project features.

Title X is one of the many examples of fiscal responsibility throughout our bill. This title deauthorizes over 300 projects, having a total estimated savings of approximately \$18 billion.

Title XI contains general provisions relating to policies and programs of the Corps of Engineers. It authorizes new actions, increases or changes authorities, and in general provides direction for the corps' activities. It strengthens the role of the corps, including granting authorization for the corps to continue a program for the inspection of dams and to undertake a new national program for the repair and restoration of any publicly owned unsafe dams. For repairs to be undertaken at non-Federal dams, the owner of an unsafe dam would have to provide 20 percent of the repair costs during construction. Moreover, the State or other public agency must then agree to maintain the repaired dam in a safe condition.

Title XII establishes a new National Board on Water Policy to coordinate the broad range of water project activities of the Federal agencies. The Board would develop principles and standards for planning Federal water projects. The title also authorizes a regional/State advisory committee with membership from major water resource regions and funding to States for water resources management programs.

Title XIII provides authority to modify certain bridges over navigable waters that require changes. Title XIV provides for referral of certain mitigation reports to the Committee on Merchant Marine and Fisheries.

Finally, title XV incorporates all of the bill's tax-related provisions, including those related to the collection and administration of special taxes to be paid by the beneficiaries of port and harbor improvement projects and inland waterway projects. This includes establishing a Port Trust Fund from which projects in title I will be funded. Other amounts collected will be retained to help fund navigation improvements along our inland waterways.

The version of H.R. 6 that is being considered is a compromise. It has been agreed to by the Committees on Public Works and Transportation, Ways and Means, Merchant Marine and Fisheries, and Interior and Insular Affairs. The vast majority of the bill's provisions are identical to the bill reported by the Committee on Public Works and Transportation. The few modifications we made were based on

agreements with other committees after those committees reviewed and acted on referred portions of the bill. The final package is a sound piece of legislation representing years of work and reasonable compromise.

Mr. Chairman, I know that the administration does not support the present bill 100 percent. We have agreed, however, to work toward addressing their concerns in conference. None of these matters, however, should impede our continued progress. I fully hope and expect to see H.R. 6 become law very soon.

Since August 1, when H.R. 6 was reported out of the Public Works Committee, many Members have brought additional matters to the attention of the committee. These include changes to items already in the bill, new projects or policies, clarifications, and updates of costs and reports. We have given thorough review to these suggestions and will include many of them in our package of committee amendments.

Mr. Chairman, H.R. 6 is an enormously important piece of legislation. The bill provides the basis on which to chart a strong, steady course for the Nation's water resource needs. H.R. 6 offers a comprehensive approach that takes into account critical economic, governmental, and environmental concerns.

The bill is very similar to H.R. 3678 which passed the House with only 33 dissenting votes in June of last year and was passed again as an amendment to last year's continuing resolution with overwhelming support. H.R. 6 builds upon H.R. 3678's solid framework, but makes various refinements and revisions to reflect an extra year of events and committee analyses. H.R. 6 is a bill we can all support. I urge the Members to give this legislation the strongest possible vote so that we can finally enact in 1985 what should have been enacted years ago.

Mr. Chairman, I yield to the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Chairman, I want to compliment both gentlemen from New Jersey, who worked so tenaciously on this, and the gentleman from Minnesota [Mr. STANGELAND], but also the gentleman from Kentucky [Mr. SNYDER]. As I understand it, you are leaving the Congress, and you have worked for a good many years on this legislation, and I think it is time that some of us say that we appreciate what you have been doing.

We hear a lot about the deficit nowadays; they are always talking about dollars. They do not want to talk about the deficit in terms of the infrastructure in this country, but we are borrowing from our children if we do not replace the infrastructure in this country, just as much as if we borrow dollars that they have to pay off.

Mr. SNYDER. Mr. Chairman, I thank the gentleman for his kind remarks.

The CHAIRMAN. The gentleman from North Carolina [Mr. JONES] is recognized for 30 minutes.

Mr. JONES of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 6 and am pleased that the work of the Committee on Merchant Marine and Fisheries which has been ongoing since the 97th Congress is incorporated in title I of this important measure.

The concern of the Committee on Merchant Marine and Fisheries expressed in this bill is that our merchant fleet already disadvantaged by restrictive activity around the world has been hampered by inadequate port facilities in the United States. The thrust of our action, as incorporated in title I, is to allow vitally needed port construction projects to proceed without undue delay while at the same time preserving the sometime fragile ecology that exists at the margin of land and water. I am pleased that all committees who have considered the port development legislation have accepted the approach we pioneered and have consistently advanced.

In reporting our bill, as part IV of Report 99-251, we were under great time pressures and, as occurs too frequently, some errors crept into our written report. While most are of a clerical nature and are obvious to the reader, there is one I would like to take this opportunity to correct on the record. In its discussion of the cost-sharing formula for port improvement projects, as contained in section 105, the report continued, in its section-by-section analysis, an explanation which would have been appropriate prior to an amendment which was adopted by the committee and which is included in the substitute before this body.

The legislative history on cost-sharing and mitigation measures connected with new port construction should incorporate the following:

The committee also adopted a new paragraph (8) to subsection 105(b). This amendment guarantees that the non-Federal share of port navigation projects authorized prior to 1985 shall be fully credited for the acquisition, construction and operation of lands, easements, rights-of-ways and dredge spoil disposal sites that were constructed to comply with the terms of the original authorization and related purposes.

This amendment guarantees that the State of Maryland will receive a \$53 million credit toward its initial share of the Baltimore Harbor and channels 50-foot project. The \$53 million credit total is the amount it cost the State to acquire lands, easements, and rights-of-ways and to construct the Hart-Miller Island dredge disposal site.

I appreciate the support of all Members for this bill and particularly for title I which has far-ranging effects on the trade of the United States.

□ 1410

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman from North Carolina [Mr. JONES] has consumed 4 minutes.

The gentleman from Michigan [Mr. DAVIS] is recognized for 30 minutes.

Mr. DAVIS. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. LAGOMARSINO].

Mr. LAGOMARSINO. Mr. Chairman, I rise in support of H.R. 6, the Water Resources Act of 1985, and to commend the chairmen of the committee and the subcommittee, the two gentlemen from New Jersey; along with the ranking members, the gentlemen from Kentucky and Minnesota; my good friend and colleague from California, Mr. ANDERSON; and all those members and their staffs from the four committees which put together this bill.

It is a compromise, and I think a good one. As was pointed out in the report, it has been 15 years since a comparable omnibus bill has been enacted, and almost 10 years since a new project authorization bill. Development in our Nation, meanwhile, has grown apace, and there is an urgent need to put into place the infrastructure to support that development. Water development, shoreline protection, flood protection and navigation projects and maintenance, are vital to the commerce of our Nation and the protection of lives and property. They are the life blood and life support systems, if you will, of America, especially in an age when we depend so much on our exports of agricultural and manufactured goods to redress our balance of trade.

The investments proposed in this authorization, shared by Federal, State, and local agencies, are investments in our future. They will create jobs, protect lives, and enhance commerce as well as providing environmental mitigation and recreation. I think the cost-sharing provisions are fair, calling for a commitment by the direct beneficiaries as well as the Nation generally.

Mr. Chairman, I specifically and strongly support the provisions in the bill that allow for private, non-Federal firms to plan, design, and construct authorized port projects and to be reimbursed later for those costs, which ordinarily would be a Federal responsibility. If a private firm begins work on a port project that subsequently is authorized, the non-Federal work would be reimbursable.

There are parts of the bill I do not agree with, but I recognize that, in any bill of this nature, compromise should be sought, and the rule allows the full body to work its will.

I urge support for the bill—we need to get on with the work of the Nation.

Mr. DAVIS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this legislation has been a long time in the making—the last major water resources bill was enacted about 15 years ago.

H.R. 6 represents the best efforts of four congressional committees—Public Works and Transportation, Merchant Marine and Fisheries, Interior and Insular Affairs, and Ways and Means. These committees devoted a lot of time and effort to this bill, each concentrating on issues within its area of concern.

There are many critical issues contained in the bill. We have heard from our colleagues on the Public Works Committee the explanation of those provisions that authorize the numerous water projects throughout the country. I want to focus just on the port development provisions of title I.

The sections of title I represent a bipartisan effort of two committees—Public Works and Merchant Marine. They authorize 6 deep-draft port projects and 29 general cargo port projects in sections 101 and 102. Provision is made in section 104 for non-Federal interests to work with the Federal agencies involved to plan and construct projects. The process of getting the various Federal and non-Federal permits approved would be established on a fast track to expedite the process. Federal laws and regulations have been significant contributory factors to the complex and lengthy permit granting process. This bill will resolve some of the delays without sacrificing environmental quality by allowing some aspects of the process to proceed concurrently with others.

A new cost-sharing mechanism is set up in section 105 between the Federal and non-Federal interests. Local authorities will be required for the first time to contribute a share of the costs of construction of port projects. The amount of the contribution will be based, in part, on the depth of the channel to be dredged.

In order to help a non-Federal interest raise some of the money needed for its share of port development projects, section 109 of the bill grants authority to ports to levy port or harbor dues, including tonnage duties or other cargo-based assessments. This authority is limited somewhat by the fact that local ports will not be able to charge a vessel port or harbor dues if the vessel does not need a channel deepened. For example, a vessel with a 16-foot draft could not be assessed a fee to pay for a port to dredge its 18-foot channel down to 20 feet.

The key element of the port development provisions of H.R. 6 is the new Federal charge to help offset some of the Federal costs for operations and maintenance expenses. The Public Works, Merchant Marine, and Ways



and Means Committees all addressed this issue in different ways but with the same substantive result—a new Federal charge of 0.04 percent of the value of the cargo shipped through U.S. ports will be assessed and paid by the cargo shippers to the Federal Government.

The text of the new bill (H.R. 3670) that we will consider today as an amendment to H.R. 6 has been worked out by the four committees involved. It reflects compromises reached by the committees on those provisions that were reported with different language—except for the new Federal O&M charge in title XV. That provision is the language reported by the Ways and Means Committee.

In order to provide for a thorough debate, the Rules Committee granted a modified open rule on H.R. 6 that will allow for consideration of this legislation and some important amendments.

It is absolutely imperative that we enact this bill this year. The national needs for the development of our ports and other water resource projects have reached the critical stage.

Not a single navigation improvement has been initiated in the last 10 years. The U.S. port system clearly lags behind all of the other major maritime nations of the world. This problem was highlighted by the coal export crisis in 1981 when we had the chance to send large quantities of U.S. coal overseas but our ports were not able to handle the fully loaded coal carriers. As a result, this country lost some opportunities to sell our coal. In addition the new, large container ships are having difficulty getting in and out of some of our ports. We cannot allow this situation to go on any longer.

I urge my colleagues to join me in supporting H.R. 6 in order to move this legislation along toward enactment.

Mr. Chairman, I would also like to express my appreciation to the committee leadership for its assistance on a matter that was of extreme importance in my congressional district. The committee has resolved that with an amendment that has been included in this bill. And I would like to address that at this point.

Mr. Chairman, I also would like to express my appreciation to the Committee leadership for its assistance on a matter of extreme importance in my congressional district. Since January 1973, the International Joint Commission [IJC], a body formed by treaty between the United States and Canada that studies and develops policy on issues of concern to both countries, has been regulating the water levels of Lakes Superior, Michigan, and Huron in an effort to keep the levels of the three lakes as balanced as possible, without adversely affecting the level of Lake Superior.

Because Lake Superior, as the upper lake, flows into the other two, regulation is accomplished by either holding back Lake Superior water, or allowing increased flow of Lake Superior water into the lower lakes through 16 compensating gates on the St. Mary's River at Sault Ste. Marie, MI. The action of the IJC in 1973 was the initiation of water regulation specifically attempting to affect the levels of the lower lakes. The action was prompted by record high lake levels on the lower lakes due to rainfall and spring runoff. Prior to 1973, the compensating gates were used only to maintain a certain level in Lake Superior and the St. Mary's River for navigational purposes.

The Emergency Plan of Action, as the 1973 action was called, was formalized as plan 1977, which went into effect in October 1979. Plan 1977 regulates the level of Lake Superior by requiring continuous adjustment of water levels between Lakes Superior, Michigan, and Huron through monthly forecasts. The plan sets 602 feet as the maximum allowable level of Lake Superior, and 598.4 feet as the minimum allowable level. Since the Emergency Plan of Action was initiated and followed by plan 1977, shoreline property owners along Lake Superior have awaited a response to their pleas for a study of the shoreline damage caused by the artificially high water levels of Lake Superior due to the IJC regulation. Such a study would be authorized by this legislation.

In 1985 we have seen history repeat itself. Record highwater levels in Lakes Michigan and Huron, causing millions of dollars of flood damage, led the IJC to close the compensating gates at the St. Mary's River in an attempt to lower the levels of the lower lakes. This regulation has caused Lake Superior's level to reach, and in fact exceed, the 602-foot limit set by the IJC for Lake Superior consequently causing additional shoreline damage along the upper lake.

One of the primary goals and justifications for plan 1977 was to, in the IJC's own words, "preclude any increased risk of exceeding the existing 602 maximum level," of Lake Superior. Since the IJC began its program of balancing the water levels between Lake Superior and the lower lakes, no action has been initiated to find out how much shoreline property damage is being caused. It is of utmost importance, in view of this year's repeat of record high lake levels, that we find the answer to this question.

Certainly I will not argue that the intent of balancing the interest of the three lakes is unfounded. Nor do the interests of property owners along the Michigan and Huron Lakes diminish before that of property owners along Lake Superior. It was in that interest that this regulation amongst the lakes was first considered. However, the level of Lake Superior is the only one that is kept high by artificial means and, as was the case this year, allowed to exceed the limits set by the IJC itself. For these reasons I am encouraged by the inclusion in this legislation of my language authorizing the study of this regulation and its effect

on shoreline property, and I urge its adoption.

Mr. Chairman, I yield back the balance of my time on our side.

Mr. JONES of North Carolina. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. ANDERSON].

Mr. ANDERSON. Mr. Chairman, I thank the distinguished chairman of the Committee on Merchant Marine and Fisheries for yielding time to me.

Mr. Chairman, I rise in strong support of H.R. 3670, to provide for the conservation and development of water and related resources and the improvement and rehabilitation of the Nation's water resources infrastructure.

At the outset, I commend our colleagues, Chairman HOWARD, Congressman SNYDER, Chairman ROE, and Congressman STANGELAND on crafting a fine bill.

As you know, Mr. Chairman, the Congress has not adopted a comparable water development bill since 1970. And no new Army Corps of Engineers project authorizations have been approved by the Congress since 1976. And, as you will recall, this past year, the House, on two separate occasions, overwhelmingly approved an omnibus water development bill only to see it die in the other body.

Of particular interest to me are those sections of the bill dealing with needed projects in southern California. I would like to take just a moment to highlight a few of these that are in and near my district.

It has been estimated that the maritime industry in my State is directly responsible for 138,000 jobs and, as our trade expands with the nations of the Pacific Rim, this figure will undoubtedly increase. I am proud to say that the San Pedro Bay Ports of Los Angeles and Long Beach comprise the largest port complex on the entire west coast. The two ports together annually move approximately 90 million tons of cargo and generate roughly \$2 billion in customs revenue, or 17 percent of the total collections made by the U.S. Customs Service nationwide.

Should the ports continue to experience their traditional annual cargo growth of between 5 and 6 percent, they will, by the year 2020, triple the present volume of trade. This, in turn, will triple customs collections up to an estimated \$6.2 billion annually. Thus, by using simple mathematics, it is easy to see that these two ports are big money winners for the U.S. Treasury and help create a stronger economy.

Among other things, section 101 of this measure applies to the future development of the Los Angeles and Long Beach Harbors. Specifically, \$310 million is earmarked to provide for the deepening of the main channel of the Port of Los Angeles to a depth of 70

feet and the deepening of the main channel of the Port of Long Beach to a depth of 76 feet. Further, 800 acres of land will be created with the dredged material from the project.

This additional 800 acres of land is particularly important to me because it will permit the relocation of the loading and unloading facilities for handling toxic and hazardous materials as well as the storage tanks used for these dangerous substances, away from inner harbor, high-density residential areas where they are today. The need to make this relocation has been a longtime concern of mine.

I would now like to turn my attention to section 617 of the bill relating to the Rancho Palos Verdes shoreline erosion study. The Army Corps of Engineers is authorized to conduct a study, which shall be completed not later than 2 years after the date of enactment of this act, on the feasibility of constructing shoreline erosion mitigation measures along the Rancho Palos Verdes coastline for the purpose of providing additional stabilization for the Portuguese Bend landslide area.

Over the past 25 years, portions of the hillside at Portuguese Bend have moved oceanward in excess of 500 feet. During the 1982-83 winter storms, alone, over 30 feet of coastline has disappeared at Portuguese Bend and there are now two additional slides, Abalone Cove and Klondike Canyon, which have become active in recent years.

Another important feature of H.R. 3670 pertains to the improvement of the breakwater at King Harbor in Redondo Beach. Specifically, section 710 of the bill will: First, provide that all future costs of the dredging and maintenance of the general navigation features at the harbor shall be borne by the United States; second, all breakwaters at the harbor shall be restored to a height of 22 feet and maintained at such height; and third, the U.S. Army Corps of Engineers is authorized to conduct a study, which shall be completed not later than 2 years after the date of enactment of this act, to explore the feasibility of raising the breakwater at the harbor to a height greater than 22 feet.

In recent years, high waves, high waves from winter ocean storms at King Harbor have caused considerable damage and have repeatedly demonstrated the need to improve the breakwater. In 1980 and 1983, storm damages totaled \$4 million and \$2.7 million, respectively. It is imperative that we move quickly in addressing this serious and costly problem.

Last, Mr. Chairman, I would like to address that section of the bill pertaining to the navigation project at Upper Newport Bay. Section 754 authorizes the Army Corps of Engineers to dredge and maintain a 250-foot wide

channel in the Upper Newport Bay to the boundary of the Upper Newport Bay State Ecological Preserve to a depth of 15 feet, and to deepen the channel in the existing project below the Pacific Coast Highway Bridge to 15 feet. The estimated cost of this project is \$2.5 million.

Upon completion of this project, roughly 2 million cubic yards of sediment will have been removed from the bay. It will have been restored to the condition existing prior to 1930 when significant tidal changes began to occur. Removal of this sediment is essential to improve tidal flushing action, prevent the sediments from being washed into the Lower Newport Bay, and to improve both commercial and recreational boating access.

In conclusion, I want to again express my complete support for this significant legislation. It deserves the support of all Members. I might add that in addition to authorizing a number of new projects, H.R. 3670 deauthorizes over 300 corps projects or portions of projects with a total estimated costs of \$11.1 billion. Again, I hope all my colleagues will vote "aye" on final passage of this measure.

Mr. HOWARD. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon [Mr. WEAVER].

Mr. WEAVER. I thank the distinguished chairman of the Committee on Public Works for the time, and I want to commend the chairman of the committee and the chairman of the subcommittee as well as the ranking members and the full committee for all the great, and diligent, and hard work they have done on this bill.

Your committee has been of greatest and utmost importance to the Northwest. Water projects that have helped build our economy have been authorized by this committee over the decades. I want to say that the dams in the Columbia, the jetties, and port dredgings have been essential to the livelihood of thousands of Oregonians.

I know that the projects in this new bill have been carefully evaluated, but there is one project that lies mainly in my district and it is not in this bill. That is the Elk Creek Dam that was authorized in 1962, 23 years ago. It was part of a three-dam project. Two of the dams, Lost Creek and Applegate Dams, have been built. But now the Corps of Engineers says that the third dam, the Elk Creek Dam, is no longer essential to enhance the values of the other two dams, and the Corps of Engineers does not support the construction of Elk Creek Dam. The Corps of Engineers says Elk Creek Dam is a waste of money.

So to save, and if we are serious about cutting the deficit, to save \$32 million that has actually been appropriated but not spent because this dam has not been started, we can vote tomorrow to deauthorize the Elk Creek

Dam. I remind the House that Elk Creek Dam is not in this bill. I do not strike anything from this bill. I add a deauthorization to the 300 deauthorizations already in the bill.

Mr. Chairman, I compliment the committee for their good housekeeping work. I want to conclude by saying the Elk Creek Dam was 40 years in my congressional district. After reappropriation, the dam is on the boundary of the district, and it in effect lies in both districts but its effects, the Rogue River for almost 200 miles, lies entirely in my district; its irrigation and flood control, what there is left of it, are almost entirely in my district.

□ 1425

So the Elk Creek Dam is, in effect, a project in my district. It affects my district. The Corps of Engineers does not support its construction, calls it a waste of money. I will offer an amendment to deauthorize it.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield?

Mr. WEAVER. I yield to my friend, the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, the gentleman referred to the dam being partially in his district.

The CHAIRMAN. The time of the gentleman from Oregon [Mr. WEAVER] has expired.

Mr. HOWARD. Mr. Chairman, I yield 1 additional minute to the gentleman from Oregon [Mr. WEAVER].

Mr. YOUNG of Alaska. If the gentleman will yield further, could the gentleman identify what other Member's district it affects?

Mr. WEAVER. Sure. We have a map right here. As I said, for 40 years, the dam was entirely in my district. Then they took part of two southern counties out. Now, here is the district boundary. And the dam sits right here on the boundary.

Mr. YOUNG of Alaska. Whose district is that?

Mr. WEAVER. That is the Second Congressional District of Oregon.

Mr. YOUNG of Alaska. And who represents the district?

Mr. WEAVER. BOB SMITH.

Mr. YOUNG of Alaska. And he is from Oregon?

Mr. WEAVER. He is from Oregon.

Mr. YOUNG of Alaska. And he does represent that district. Does he support the gentleman's amendment, or does he oppose the amendment?

Mr. WEAVER. I know of no one else in the House who supports the dam, but it is my understanding that he does.

Mr. YOUNG of Alaska. But he does support the dam, does he not?

Mr. WEAVER. That is my understanding.

Mr. YOUNG of Alaska. I thank the gentleman for answering my question.



Mr. WEAVER. The Rogue River that is affected by the dam, the dam sits on the border of our districts, the Rogue River, 200 miles, runs throughout my district. The irrigation project is entirely in my district. And the flood control is entirely in my district.

Mr. JONES of North Carolina. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Maryland [Ms. MIKULSKI].

Ms. MIKULSKI. Mr. Chairman, today is a great day for the port of Baltimore, the State of Maryland, and for every other region of the country that depends upon waterborne commerce and navigation for economic growth and vitality.

It is a great day for this Nation because this House will pass port development legislation contained in H.R. 6 that sets the framework to help America's ports meet the demands of international trade and commerce in the 1990's and to move into the 21st century.

No port in this Nation has waited longer for water resources cost-sharing legislation to be passed than the port of Baltimore.

We were authorized to dredge our channel to 50 feet in 1970. After meeting very stringent standards resulting from the first application of the National Environmental Policy Act to port development, Baltimore has been held hostage for 15 years to the battle over cost-sharing of new port development.

When Baltimore's 50-foot project was first authorized, the State of Maryland fulfilled the requirements imposed upon it by the Federal Government. In return, the Federal Government promised to pay 100 percent of the cost of deepening port channels to 50 feet.

Times have changed. And we all recognize that the Federal Government no longer has the financial resources to pay for every cost associated with vital navigation projects.

The cost-sharing framework set forth in H.R. 6, however, still maintains a strong and clear Federal stewardship over navigation and port development, while reducing the Federal financial burden. It is a formula that strengthens the partnership between the Federal Government, the private sector and local government in maintaining our Nation's waterways.

H.R. 6 contains a section that I offered, and which was adopted by the Merchant Marine and Fisheries Committee, recognizing the uniqueness of the Baltimore project. The change in cost-sharing from Baltimore's original authorization means that the State of Maryland will have to bear a substantially higher share than originally proposed.

While we in Maryland are willing to pay for our fair share, we also believe that we should be properly credited

for being the only State government required to build and operate, at full local expense, a dredge spoil disposal site; a site built to comply with the original 1970 Baltimore authorization.

As a result, the committee adopted my amendment which guarantees that the non-Federal share of a port navigation project over 45 feet authorized prior to 1985 shall be fully credited for the acquisition, construction and operation of lands, easements, rights-of-way and dredge spoil disposal sites constructed to comply with the terms of the original authorization and related purposes.

The chairman of our committee, Representative WALTER JONES, pointed out earlier during general debate on H.R. 6 that this amendment guarantees that the State of Maryland will receive a \$53 million credit toward its initial share of the Baltimore harbor and channels 50 foot project. The \$53 million credit total is the amount it cost the State to acquire lands, easements, and rights-of-ways to construct the Hart-Miller Island dredge disposal site.

This amendment not only recognizes the uniqueness of the Baltimore project, but will help restore the sense of regional economic equity to ports along the Delmarva Peninsula. The three major ports closest to Baltimore, which are Wilmington, DE, Philadelphia, PA, and Hampton Roads, VA, have each obtained dredge disposal sites or disposal of dredged material at complete Federal expense. Baltimore, on the other hand, has borne all such costs for these activities.

There have been many Members who have worked to enact port development legislation to help revitalize our Nation's waterfronts. In particular, I want to commend public works Chairman JIM HOWARD and Water Resources Subcommittee Chairman BOB ROE for fashioning this bill and for their diligence in working to see it become law.

In addition, I am grateful for the work of my own chairman, Representative WALTER JONES, and the chairman of the Subcommittee on Merchant Marine, Representative MARIO BIAGGI, for their crucial work in developing the port title of H.R. 6.

The balance between cargo and quiche on America's urban waterfronts can only be preserved if we have channels deep enough to accommodate larger vessels that carry bulk goods like grain and coal. With the export of these goods we will provide jobs for American workers and help reduce our trade deficit.

So I urge my colleagues to support this bill and to help continue the renaissance at American ports like Baltimore.

Mr. JONES of North Carolina. Mr. Chairman, I have no further requests

for time, and I yield back the balance of my time.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in order to fund port development, title 15 of H.R. 6 would impose a new 0.04 percent (4 cents per \$100) excise tax on the value of commercial cargo loaded onto or unloaded from a vessel at a port in the United States. The tax is effective on January 1, 1986, and is estimated to raise approximately \$200 million per year for port development.

The port use tax does not apply to cargo when loaded or unloaded at ports in Hawaii or in any possession of the United States. The tax does not apply to cargo when loaded at any port in the United States for transportation to Hawaii or a U.S. possession for ultimate use or consumption in Hawaii or the possession. If the cargo loaded in Hawaii or a U.S. possession is unloaded at a port in the United States, then the port use tax applies when the cargo is so unloaded.

The tax does not apply to fish or other aquatic animal life caught during a voyage. Also, the tax does not apply to the U.S. Government or any Federal agency or instrumentality.

The port use tax does not apply to cargo where the transportation of that cargo has been or will be subject to the excise tax on diesel or other fuels used on the inland waterways under Internal Revenue Code section 4042. A credit is allowed against the port use tax for St. Lawrence Seaway tolls with respect to the cargo being loaded or unloaded, with any unused credit allowed as a carryover to apply against future port use tax liability of the taxpayer.

This new port use tax is simply a modified version of the excise tax which was included in this bill by every other committee to which the bill was referred. The tax has been endorsed by the administration as an appropriate user charge.

Revenues from the new port use tax will be deposited into a new Port Infrastructure Development and Improvement Trust Fund in the Treasury. In addition, title 15 authorizes appropriations to the trust fund of sufficient general revenues for each fiscal year such that the total port use tax revenues and general revenues for the fiscal year together equal \$1 billion.

Under title 15, permitted expenditures out of the trust fund generally are the same as under the bill as reported by the Committee on Public Works and Transportation, with an added provision to authorize payment out of the trust fund for Treasury expenses in administering the port use tax. The port use tax is to be administered by the U.S. Customs Service.

In addition to port development, title 15 adds the Tennessee-Tombigbee Waterway to the list of inland and intracoastal waterways, the commercial use of which is subject to the inland waterways fuel tax under Internal Revenue Code section 4042, effective on January 1, 1986.

Under the bill, like the new Port Infrastructure, Development and Improvement Trust Fund, the Inland Waterways Trust Fund statutory language would be placed in the Trust Fund Code in the Internal Revenue Code. Not more than one-third of the cost of any waterway construction project under the bill and not more than one-sixth of certain relocation costs under the bill may be paid out of the Inland Waterways Trust Fund. These expenditure limitations are the same as those proposed by the Committee on Public Works and Transportation.

Mr. Chairman, I believe that the revenue from the port use tax is an important and necessary source of funding for port development. The funding of our Nation's ports has long been delayed because of controversy regarding the proper source of revenues. I believe that the port use tax, in combination with general revenues and local funding, has broken the deadlock and will allow the Nation's ports to receive the necessary funds to modernize and expand so that they can compete internationally.

Mr. Chairman, I urge adoption of H.R. 6.

Mr. STANGELAND. Mr. Chairman, will the gentleman yield?

Mr. ROSTENKOWSKI. I yield to the gentleman from Minnesota.

Mr. STANGELAND. I thank the gentleman for yielding.

Mr. Chairman, first of all, I would like to compliment the chairman of the Committee on Ways and Means and the ranking minority member of the Committee on Ways and Means for the excellent work that they have done on this very important piece of legislation. But I would like to engage in just a bit of colloquy with the chairman of the Committee on Ways and Means, if he would be so indulgent.

Mr. Chairman, in the versions of H.R. 6 reported by the Committees on Public Works and Transportation and Merchant Marine and Fisheries, both committees also authorized the collection of a 0.04 percent ad valorem charge on import, export, and domestic cargo loaded or unloaded on vessels at U.S. ports. Although the details of each committee's approach differed, on one thing they were both very clear: The responsibility for remitting the ad valorem charge and the ultimate liability for payment rests with the cargo interest, not the vessel owner or operator.

The Public Works Committee report states (p. 517):

The intent of the Committee is that the tax be paid by the importer, exporter, or shipper of the cargo, and not by the owner or operator of the ship or vessel \* \* \*. [T]he Committee imposed the duty to collect the tax on importers, exporters, and shippers.

Similarly, the report of the Committee on Merchant Marine and Fisheries states (p. 27):

Regardless of the potential difficulty in administration, the Committee reiterates that the cargo, being the beneficiary of the facilities provided by the port, is for purposes of this Act the user responsible for paying the fees required for ongoing operation and maintenance. The Committee intends that no burden, financial or administrative, fall on vessel owners or operators.

The Ways and Means Committee report, in describing the provisions which are now part of title XV of the bill before us, states (p. 11):

The port use tax is to be paid by the importer \* \* \* by the exporter \* \* \* and by the shipper \* \* \*.

In order that the record might be clear and unambiguous, I would like to ask a question of the gentleman from Illinois, the chairman of the Committee on Ways and Means: Is it the intent of the Ways and Means Committee that cargo interests, alone, bear the responsibility for payment of the port use tax of title XV?

Mr. ROSTENKOWSKI. That is correct. No financial or administrative burden or responsibility is imposed upon vessel owners or operators by virtue of title XV of this legislation.

Mr. STANGELAND. I thank the gentleman, and once again I commend him and the ranking Republican member of the full committee.

Mr. ROSTENKOWSKI. Mr. Chairman, I reserve the balance of my time.

Mr. DUNCAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am pleased to join my colleague, Chairman ROSTENKOWSKI, in urging the House to adopt H.R. 6, a bill which provides for a number of important water projects throughout the United States. To assist in financing these water projects, the bill would impose a new 0.04 percent, 4 cents per \$100, ad valorem tax on commercial cargo loaded or unloaded from a vessel at a port in the United States, with certain enumerated exceptions. The chairman has accurately described the various components of the bill for the House and I will not restate them here. The Committee on Ways and Means ordered the bill reported by voice vote, and I know of no objection to the bill. I would urge my colleagues to vote for the bill today.

Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. ROSTENKOWSKI. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. Does any member from the Committee on Interior and

Insular Affairs wish to claim that committee's time?

Mr. YOUNG of Alaska. Mr. Chairman, we have no requests for time on this side, but I gladly yield such time as he may consume to the gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. I thank my colleague from Alaska for yielding time to me.

Mr. Chairman, I appreciate the opportunity to rise in support of H.R. 3670, the Water Resources Conservation, Development, and Infrastructure Improvement and Rehabilitation Act of 1985. I commend the House leadership for their recognition of the need to focus attention on the many critical water issues facing our Nation today.

Reauthorization of a comprehensive omnibus water bill is long overdue. It has not been since 1970—15 years ago—that we enacted a truly comprehensive water resources law to authorize projects and programs. We cannot afford to wait any longer. Our Nation's water resources infrastructure needs and deserves immediate attention.

Mr. Chairman, I want to commend the Public Works and Transportation Committee Chairman JAMES HOWARD; Water Resources Subcommittee Chairman ROBERT ROE; House Interior Committee Chairman MORRIS UDALL; and Water and Power Subcommittee Chairman GEORGE MILLER for their outstanding leadership and innovative attempts to address these increasing water resources problems in a comprehensive manner.

Water issues are of the utmost importance to the people I represent in the Third Congressional District of New Mexico. Few concerns in the West are greater than our need to protect and conserve water resources. Western States have been able to build a healthy economy and environment for a growing and productive population because the State and Federal Government, in partnership, have constructed water projects that have become a veritable lifeline for our States.

The Federal investment in Western water projects has been returned in many ways. They have ultimately paid their own way. In addition, the economic health of the West and the agricultural improvements that have resulted from these projects have benefited our entire Nation. Water projects have been success stories in satisfying national objectives.

H.R. 3670 addresses a real need in northern New Mexico. The bill recognizes the need to restore and preserve the Acequia irrigation ditch systems in their State and recognizes their cultural and historical values. Further, the legislation provides for needed improvements to Abiqui dam to increase



the safety of the structure and enhance flood and sediment control.

Mr. Chairman, water is a scarce and precious commodity in my district. Any discussion of increased economic development must include an emphasis on the water supply needs of our expanding communities. Fifteen years is too long to wait. I urge my colleagues to support H.R. 3670, and take a strong stand in addressing the critical water needs of our Nation.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume, to say that this bill is important for the future of this Nation concerning water and water policy. Many of us in the Congress and many in the United States do not recognize what could be our next major crisis in the United States, and that is the lack of water for the production of agriculture, the lack of water for our industrial strength and the lack of water for consumption in our own right as far as clean and safe water. The sharing of the burden is crucial. I believe this bill takes care of many of the major problems that have been faced in the past. Hopefully, for the first time we will have a water policy that the American people can benefit from.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The balance of the time for the Committee on Interior and Insular Affairs is yielded back.

Mr. HOWARD. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. NOWAK], a member of our committee.

Mr. NOWAK. I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in strong support of H.R. 6, the Water Resources Conservation, Development, and Infrastructure Improvement and Rehabilitation Act of 1985.

I first would like to commend the gentlemen from New Jersey [Mr. HOWARD], the chairman of the Committee on Public Works and Transportation, and Mr. ROE, the chairman of the Subcommittee on Water Resources, for their diligent leadership in forging this important legislation. Thanks are also due the gentleman from Kentucky [Mr. SNYDER] and the gentleman from Minnesota [Mr. STANGELAND] for their dedication and cooperation in this process.

We have not enacted a comparable omnibus water resources bill since 1970. Clearly, H.R. 6 is long overdue.

The passage of time has created a tremendous backlog in vitally essential water resources projects. This legislation is critical to readdressing this nationwide inventory of unmet needs in a meaningful way.

During these last 15 years, infrastructure has become a household word, as more and more attention has been focused on the deteriorating con-

dition of our roads, bridges, dams, ports, and water supply network.

The dimension and scope of these infrastructure needs require a strong and sustained Federal role, in partnership with State and local governments and the private sector. H.R. 6, with its new cost-sharing provisions, will enable us to advance scores of vitally needed port development, flood control, shoreline protection, and inland waterway projects.

Our water resources and our infrastructure are vital to our national economic well-being and our quality of life. H.R. 6 commits us to major investments that will reap dividends for future generations in this country. It is a wise investment we cannot afford to bypass.

Mr. HOWARD. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. GRAY], a member of our committee.

Mr. GRAY of Illinois. I thank the gentleman for yielding.

Mr. Chairman, I rise to support H.R. 6 and to tell you what a personal joy it is to serve on such a fine working committee as the Committee on Public Works and Transportation.

I want to commend the distinguished chairman, the gentleman from New Jersey [Mr. HOWARD], the distinguished ranking minority member, the gentleman from Kentucky [Mr. SNYDER], the very distinguished subcommittee chairman, the gentleman from New Jersey [Mr. ROE], and the ranking member on the Republican side for all the hard work that has gone into this bill. It is a fine bill—it is an American bill.

Mr. STANGELAND. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Arkansas [Mr. HAMMERSCHMIDT], who was the previous ranking Republican on the Subcommittee on Water Resources and certainly got this whole process started before I became the ranking minority member.

Mr. HAMMERSCHMIDT. Mr. Chairman, I rise in support of the Water Resources Conservation, Development, and Infrastructure Improvement and Rehabilitation Act of 1985.

I commend our very distinguished chairman, the gentleman from New Jersey [Mr. HOWARD], as well as the ranking minority member of the full committee, the gentleman from Kentucky [Mr. SNYDER], and I certainly commend the gentleman from New Jersey [Mr. ROE] for the many, many months and, actually, years, of hard work he has put into this, as well as our distinguished friend, the gentleman from Minnesota [Mr. STANGELAND], and as well as the leadership of all of the committees that have labored to develop this important and balanced bill.

As my colleagues know all too well, we have not had an omnibus water resources

projects bill for the Corps of Engineers in almost a decade. As the former ranking Republican member of the Subcommittee on Water Resources of the Committee on Public Works and Transportation, I know that this is not because the issue is not important or because the Members of this body have not worked hard to develop the necessary legislation. We all recognize the importance of water resources development to the vitality of our economy and the extraordinary effort that has been put into passage of this legislation. We have heard today of the importance of the provisions in this bill to the country and to individual Members who have spoken in support of the bill earlier.

I would just like to take a moment to mention some of the key provisions in this bill that are important to the citizens of Arkansas. First of all, let me mention projects in this bill that will greatly reduce the devastating effect of floodwaters in Arkansas. To this end, the bill would authorize projects for flood control in the cities of Helena and West Memphis, AR, and along Fifteen Mile Bayou, Fourche Bayou and Eight Mile Creek. In the area of navigation, the bill would authorize improvements for the harbor of Helena and also along the White River.

There are also a number of small but important projects to assist local governments in making necessary repairs to infrastructure improvements and authorization for water supply loans to the cities of Fort Smith and Van Buren. I would be remiss if I didn't take a moment to at least mention the provisions in title 9 of the bill that honor some of our most distinguished citizens by renaming Corps of Engineers projects or project features after those that have contributed so much to communities in which those projects are located.

Finally, I note that the bill contains an authorization for a demonstration project to determine the causes and possible remedies of pollution at Beaver Lake in my district. The project would be undertaken in cooperation with the Environmental Protection Agency, working with State and local agencies in an effort to find ways of preserving and enhancing the quality of the reservoir's waters.

Again, Mr. Chairman, let me congratulate those on the committee and extend my sincere appreciation for their efforts and assistance. Through their efforts, I am confident that we will finally see final passage of a comprehensive water resources development bill—a bill that I urge all of my colleagues in joining me in supporting.

Mr. HOWARD. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. ROE], the distinguished chairman of our Water Resources Subcommittee, who is the chief architect of this legislation.

Mr. ROE. Mr. Chairman, I want to thank the distinguished chairman of our committee, the gentleman from New Jersey [Mr. HOWARD] for yielding twice to me.

Mr. Chairman, I am pleased to bring to the floor H.R. 6, the Water Resources Conservation, Development, and Infrastructure Improvement and Rehabilitation Act. This bill is the product of over 4 years of intensive work by the Subcommittee on Water Resources, including hearings and countless hours of gathering information and consulting interested Members and their staffs. I am deeply appreciative of the many hours the members of the subcommittee, and of the full committee, have devoted to this legislation. I also wish to express my gratitude for the fine cooperation of the ranking minority member of the subcommittee, the gentleman from Minnesota [Mr. STANGELAND] and the ranking minority member of the full committee, the gentleman from Kentucky [Mr. SNYDER]. I especially want to thank the chairman of the committee, the gentleman from New Jersey [Mr. HOWARD] for the outstanding leadership he again has exercised in bringing this legislation to the floor.

Mr. Chairman, we began work on this legislation with two basic premises in mind. The first is that water is our most important and most valuable national asset, and resolving the problems relating to the use, overuse, and abuse of water, as well as protection from catastrophic flooding, are items of the highest priority. The second premise is that we must begin to deal with these water resources problems according to a national policy that is both rational and bipartisan in nature. We have worked diligently to achieve that goal in this legislation.

H.R. 6, as is traditional with water resources development bills, contains project authorizations, authorizations of water resources studies, project modifications, and general provisions effecting the overall water resources program of the Corps of Engineers. This bill also continues the practice of refining the manner in which the corps' existing water resources program is carried out to meet our constantly changing water resources needs. As a result, the bill contains a number of features addressing water supply needs, environmental concerns, energy needs, and project study procedures, in addition to the traditional provisions addressing flood control, navigation, erosion control, recreation, and the like.

This bill also contains a number of new provisions which recognize new water resources needs that have arisen as a result of the aging process on our water resources infrastructure.

Mr. Chairman, with these prefatory remarks, I would like to proceed through the bill briefly title by title to describe for you its contents. A more detailed statement is being submitted for the record.

Title I authorizes 6 deep draft navigation projects—projects with an authorized depth of 45 feet or more—and 29 projects for the improvement of general cargo ports—ports with an authorized depth of between 14 and 45 feet.

These port projects will be subject to a new cost-sharing arrangement. Non-Federal interests will be required to pay a portion of the construction costs of ports, with the local share determined in relation to the depth of the port. There is no cost sharing for a port with a depth of 14 feet or less. For the increment between 14 feet and 20 feet, the non-Federal share is 10 percent. For the increment of depth between 20 feet and 35 feet, the share is 25 percent. And, for the increment deeper than 45 feet, the local share is 50 percent. Non-Federal interests must also provide necessary lands, easements, and rights-of-way, including disposal areas, but only to the extent that the cost of these items does not exceed 5 percent of the cost of the project. In addition, a tax of 0.04 percent is imposed on the value of cargo loaded or unloaded at a U.S. port.

A non-Federal interest may levy port or harbor dues, in the form of tonnage duties, but may only do so with regard to a vessel if that vessel actually benefits from the port project. No dues may be imposed if the vessel, when fully loaded, could have utilized the port or harbor before construction of the project.

Section 104 provides a mechanism to permit non-Federal interests to plan, design, and construct port projects and later to be reimbursed subject to appropriations for those costs that ordinarily would be a Federal responsibility, so that a project may be expedited by non-Federal interests.

Title II authorizes the construction of seven critically needed lock and dam projects on the inland waterway system. These projects consist of replacements of obsolete structures and improvements to structures needed to prevent unacceptable constraints on navigation. This title also provides that one-third of the cost of the general navigation features of these projects shall be paid only from amounts appropriated from the inland waterways trust fund—the fund derived from fuel taxes on vessels used in commercial waterway transportation.

Title III authorizes the construction of 92 projects for the control of destructive flood waters throughout the Nation. We have developed a new system of cost sharing which we believe to be fair and equitable. Under present law the non-Federal sponsors of local flood protection projects pay for lands, easements, rights-of-way and relocations, which vary from project to project. We have included a new uniform cost-sharing formula

which will ensure that regional needs are addressed with fairness, and which will result in the equitable distribution of national water resources investments needed throughout the Nation. The non-Federal share for local flood protection projects is established at 25 percent. Non-Federal interests will continue to provide lands, easements, rights-of-way and relocations. In addition, they must contribute 5 percent of the cost of the project during construction. If the cash contribution and the lands, easements, rights-of-way and relocations are less than 25 percent of the project cost, the amount necessary to meet the 25-percent share must be paid to the United States over a period not to exceed 15 years. If these items are more than 25 percent, then that is the non-Federal share, except that such share is capped at 30 percent.

Title IV authorizes a number of projects for the protection of shorelines on the Atlantic and gulf coasts and the Great Lakes.

Title V authorizes 78 projects for water resources conservation and development purposes—including mitigation of damages to fish and wildlife, water supply, hydroelectric power, streambank erosion control, navigation, and other purposes, including many detailed provisions designed to protect specific environmental values.

Title VI authorizes the corps to conduct a number of studies. These include studies of specific water resources problems in particular localities, as well as studies of a more general nature. A few of the most important provisions for studies of a general nature are as follows.

Section 605 directs the corps and the Fish and Wildlife Service to study the feasibility of utilizing the corps' capabilities to conserve indigenous wildlife and wildlife habitats, including creating alternative habitats, and beneficially modifying existing habitats.

Section 606 authorizes the corps to make a nationwide study of the Nation's flood problems and the effectiveness of existing projects in reducing losses from floods.

Section 610 directs the corps to prepare an estimate of the long-range capital investment needs for water resources programs within its jurisdiction—including investment needs for ports, inland waterway transportation, flood control, municipal and industrial water supply, hydroelectric power, recreation, and the fish and wildlife conservation and enhancement associated with those programs.

Section 614 directs the corps to prepare a list of authorized water resources studies for which no report has been transmitted to the Congress, and to make recommendations with respect to each such study as to



whether or not it should continue to be authorized.

Title VII contains a number of project modifications for a number of authorized water resources projects. These modifications were all analyzed by the committee on a case-by-case basis and were determined to be necessary for the functioning of the projects to which they relate.

Title VIII, relates to water supply. Subtitle A establishes a loan program to be administered by the corps for the purpose of repairing, rehabilitating, expanding, and improving public water supply systems and publicly regulated water supply systems. These loans are limited to 80 percent of the cost of the water supply project for which each loan is made, with an annual limit of \$40 million for each project and an annual limit of \$80 million for any State. Before receiving a loan, an operator must implement a water conservation program in order to encourage the responsible use of water.

Subtitle B of title VIII declares a national interest in economically conserving existing water supplies and in economically developing new supplies through Federal participation in the repair, rehabilitation, and improvement of water supply systems and through Federal construction of single-purpose, as well as multiple-purpose, water supply projects. The non-Federal share of such projects is to be 100 percent, with the non-Federal interests initially providing 20 percent, and repaying the remaining 80 percent of the project costs over a period of up to 50 years in accordance with the provisions of the Water Supply Act of 1958.

Title IX changes the names of a number of water resources projects and project features which have been constructed by the Corps of Engineers. One naming is geographical and the others are in honor of prominent individuals who have contributed their efforts to the development of water resources.

Title X, deauthorizes some 300 authorized corps projects or portions of projects. The Congressional Budget Office has estimated that, if these projects were funded, Federal outlays would be approximately \$18 billion.

Title XI consists of a number of general provisions relating to the corps' water resources program. The following are a few of the most important provisions contained in that title.

Section 1101 defines the objectives for which Corps of Engineers water resources projects are to be planned, including the objectives of enhancing regional economic development, the quality of the total environment, the well-being and quality of life of the people of the United States, preservation of cultural and historic values, the prevention of loss of life, and na-

tional economic development. It also provides that the benefits and costs attributable to these objectives—both quantifiable and unquantifiable—shall be included in the evaluations of benefits and costs for Corps of Engineers projects.

Section 1102 requires that non-Federal interests contribute 50 percent of the costs of any feasibility report for any water resources study prepared by the corps or the Department of the Interior. An exception is made in the case of inland waterway projects, for which the benefits are generally acknowledged to be too widespread to be specifically identified with individual local governmental entities.

Section 1103 provides that in the evaluation of corps projects the benefits attributable to environmental measures shall be deemed to be at least equal to the costs of those measures.

Section 1104 establishes a new \$35 million environmental protection and mitigation fund. Amounts in this fund are to be available for undertaking, in advance of the construction of any corps project, any measures authorized as part of the project which may be necessary to ensure that project-induced losses to fish and wildlife production and habitat will be mitigated.

Section 1122 relates to the master plan for the management of the upper Mississippi River system, which was prepared by the Upper Mississippi River Basin Commission pursuant to Public Law 95-502. This section contains congressional approval of the master plan as a guide for future water policy on the upper Mississippi River system. It authorizes the corps and the Interior Department, in consultation with the States, to undertake a program, as identified in the master plan, for the planning, construction, and evaluation of measures for fish and wildlife habitat rehabilitation and enhancement, implementation of a long-term resources monitoring program, and implementation of a computerized inventory and analysis system.

Section 1135 authorizes the corps to review the operation of previously constructed projects in order to determine the need of modifications in the structures and operations of those projects for the purpose of improving the quality of the environment in the public interest.

Title XII establishes a National Board on Water Resources Policy. The Board will be composed of the Secretaries of the major Federal water resources agencies, together with two other members and a chairman appointed by the President with the advice and consent of the Senate. Among other things, the Board will be responsible for establishing principles and standards for the formulation and evaluation of Federal water and relat-

ed land resources projects and coordinating Federal water resources policy. The establishment of this Board is critical to the establishment and implementation of a balanced water resources policy.

Title XIII relates to bridges over navigable waters. It provides Federal assistance for the relocation of two bridges that have become obstructions to navigation as a result of local land subsidence problems.

Title XIV requires that any report dealing with fish and wildlife mitigation, benthic environmental repercussions, or ecosystem mitigation, that is required to be sent to the House Committee on Public Works and Transportation and the Senate Committee on Environment and Public Works shall also be sent to the House Committee on Merchant Marine and Fisheries.

Title XV, as reported by the Committee on Ways and Means, imposes a port use tax on the loading or unloading of commercial cargo at a U.S. port of 0.04 percent of the value of the cargo.

It also establishes a port infrastructure development and improvement trust fund. There is authorized to be appropriated to the trust fund each year an amount equal to the excess of \$1 billion over the amounts deposited in the fund from the 0.04-percent port use tax. Amounts in the trust fund are available, as provided in appropriations acts, for studies, construction, and operation of ports.

Mr. Chairman, the rule provides that the amendments published by our committee in the November 4, 1985, CONGRESSIONAL RECORD may be offered en bloc. For the benefit of the Members I wish to explain briefly what these amendments will accomplish.

#### TITLE XI

##### MIAMI RIVER MANAGEMENT COMMISSION

This amendment authorizes the Secretary to make a grant to the Governor of Florida to establish the Miami River Management Commission to develop a comprehensive plan for the Miami River.

#### TITLE I

##### NORFOLK HARBOR

This amendment provides that the cost of utility relocations associated with the project at Norfolk, VA, be at full Federal expense.

##### MOBILE HARBOR

This amendment corrects an omission of the National Marine Fisheries Service in the text as it relates to mitigation measures at Mobile Harbor.

##### LOS ANGELES AND LONG BEACH HARBORS

This amendment increases the authorized depth of the harbor of Los Angeles from 65 to 70 feet.

##### KILL VAN KULL AND ARTHUR KILL

This amendment combines the projects for Arthur Kill and Kill Van

Kull, New York and New Jersey, and adds a provision extending the project to the Fresh Kills in Carteret, NJ.

## LAKE CHARLES

This amendment updates the estimated Federal cost of the project at Lake Charles, LA.

## NORFOLK HARBOR

This amendment prohibits the Secretary from imposing fees or other charges for the disposal of dredge material into the Craney Island, VA, facility.

## NORFOLK HARBOR

This amendment provides that the modification of four anchorages previously authorized but not constructed, and the three anchorages authorized by this act at Norfolk, VA, are to be at full Federal expense.

## TITLE III

## QUINCY COASTAL STREAMS

This amendment provides that the non-Federal interests for the project are to be credited with work done by the non-Federal interest, after January 1, 1978, if the work is determined to be compatible with the project.

## RIO PUERTO NUEVO

This amendment authorizes the project for flood control at Rio Puerto Nuevo, PR. The bill as introduced authorized a study for this project; the study has been completed, the results of the study are now authorized and the study is deleted.

## SANTA ANA RIVER MAINSTEM

This amendment modifies the current provision in the bill to reflect the modifications for the Santa Ana River mainstem contained in the report of the district engineer, dated September 1985.

## AMITE, COMITE, TANGIPAHOA, TCHEFUNCTE, TICKFAW, BOGUE CHITTO, AND NATALBANY RIVERS, LA

This amendment adds an authorization to the Secretary to undertake reasonable wildlife mitigation measures in connection with the project authorized in the bill.

## INTERNATIONAL LEVEE, NOYES, MN

This amendment authorizes the Secretary to accept funds from a project cosponsor in connection with the project authorized in the bill.

## FAIRFIELD VICINITY STREAMS

This amendment provides that the non-Federal interests for the project for flood control previously authorized by the Flood Control Act of 1965 are to be credited for the cost of work performed by the non-Federal interest subsequent to December 31, 1973, and determined to be compatible with the project.

## TITLE IV

## ORCHARD BEACH, NEW YORK

This amendment authorizes the project for beach erosion control, Orchard Beach, NY.

## PINELLAS COUNTY, FL

This amendment authorizes the project for beach erosion control, Pinellas County, FL.

## TITLE V

## MERRIMACK RIVER, MA

This amendment authorizes the Secretary to conduct reconnaissance and feasibility studies on extending the project on the Merrimack River from Lawrence to Haverhill, MA, and from Haverhill to the mouth of the Merrimack River.

## JACKSONVILLE HARBOR, FL

This amendment clarifies that the costs of this project are to a Federal responsibility, as recommended by the report of the Chief of Engineers.

## LAVA FLOW CONTROL, HI

This amendment deletes the project for lava flow control, Hawaii, currently contained in the bill.

## BEATTIES DAM, NJ

This amendment modifies the provision in the bill concerning flood control measures along the Passaic, Pompton, and Pequannock Rivers, NJ, to provide for repairs to Beatties Dam and removal of the existing rock shelf.

## SONOMA COUNTY, CA

This amendment modifies the provision in the bill to allow the Secretary increased discretion in selecting the appropriate implementation of the water resources project.

## TITLE VI

## INSULAR POSSESSIONS

This amendment corrects the omission of the Virgin Islands from the study of the water and related land resources in the insular possessions to be conducted by the Secretary. It also provides that any funds appropriated for the study which are not spent by the Secretary for the study, are to be available for construction of authorized projects and implementation of the findings of the study, in the possessions.

## GREAT LAKES

This amendment modifies the provision authorizing the Secretary to determine the extent of shoreline erosion on Lake Superior to the time subsequent to January 26, 1973.

## WATER SUPPLY STORAGE

This amendment modifies the existing study provision concerning the pricing policy of the Corps of Engineers relative to water supply to provide that the Secretary is not to modify his water supply pricing policy until the results of the study are available and Congress enacts additional legislation.

## TITLE V

## PORT ONTARIO, NY

This amendment authorizes the Secretary to maintain a harbor of refuge in Port Ontario, Sandy Creek, NY.

## TITLE VII

## KING HARBOR, CA

This amendment clarifies the existing language in the bill that the Secretary is to construct the breakwaters at the project to a height of 22 feet.

## COLORADO RIVER, TX

This amendment is a technical change to correct an erroneous cost figure contained in the bill.

## SAN LORENZO RIVER, CA

This amendment modifies the provision in the bill to authorize the Secretary to take actions which he deems necessary at the project, in addition to the dredging provided for in the bill. The Secretary is also authorized to conduct further study and design on the project.

## RACINE HARBOR, WI

This amendment modifies the provision for Racine Harbor to change the requirement that the Secretary construct and maintain the harbor area, to a requirement that the Secretary only dredge the area.

## TITLE VI

## JAMES RIVER, SD

This amendment adds a study of the feasibility of providing flood protection along the James River, SD.

## TITLE VII

## NEWPORT BAY HARBOR, CA

This amendment modifies the provision in the bill for Upper Newport Bay Harbor, Orange County, CA, to better define the scope of the project.

## DUNKIRK HARBOR, NY

This amendment authorizes the Secretary to reimburse the non-Federal interests for expenses they have incurred at the project which would have been the responsibility of the Secretary under the section.

## FISHTRAP LAKE, KY

This amendment modifies the project for Fishtrap Lake, Pike County, KY, to authorize the Secretary to acquire by purchase any property in the drainage area of the project.

## SABINE RIVER, TX

This amendment modifies the project for the Sabine-Neches Waterway, TX, to authorize an extension of the project approximately 1 1/4 miles.

## CLARKS HILL RESERVOIR, GA AND SC

This amendment modifies the project for flood control, Clarks Hill Reservoir, to add recreation and fish and wildlife management as project purposes.

## RED ROCK DAM AND LAKE, IA

This amendment authorizes the Secretary to acquire fee simple title and flowage easements to real property subject to periodic flooding at the project.

## CAPE CHARLES CITY HARBOR, VA

This amendment modifies the project for Cape Charles City Harbor,



to provide that the existing bulkheads and berthing space shall constitute the local cooperation required by the project's authorizing legislation.

#### EAST CHESTER CREEK, NY

This amendment modifies the project to require the Secretary to dredge and maintain the Y-shaped portion of the project within 2 years. It also deletes the project from the deauthorization section of the bill.

#### TITLE IX

##### VANCE HARTKE RESERVOIR

This amendment renames the Patoka Reservoir, Wabash River, IN, as the Vance Hartke Reservoir.

##### DEWAYNE HAYES RECREATION AREA

This amendment renames the Stinson Creek Recreation Area, which is to be built as part of the Tennessee-Tombigbee Waterway as the DeWayne Hayes Recreation Area.

#### TITLE X

##### NAPA RIVER BASIN

This amendment removes the project for flood control, Napa River Basin, from the deauthorization title.

##### DISTRICT OF COLUMBIA

This amendment removes the project for flood control, District of Columbia, from the deauthorization title.

##### TAMPA HARBOR, FL

This amendment adds the turning basin at the junction of the Garrison and Seddon channels and the Hillsborough River to the deauthorization title.

##### KAUNAKAKAI, HI

This amendment removes the project for navigation, Kaunakakai Deep Draft Harbor, Molokai, HI, from the deauthorization title.

##### PEORIA COUNTY LEVEES, IL

This amendment removes the project for flood control, Peoria, Peoria County Levees, IL, from the deauthorization title.

##### WAUKEGAN HARBOR, IL

This amendment removes the project for navigation, Waukegan Harbor, IL, from the deauthorization title.

##### CAROLINA BEACH, NC

This amendment removes the project for flood control, Carolina Beach and vicinity, south area, North Carolina, from the deauthorization title.

##### PECAN BAYOU LAKE, TX

This amendment removes the project for flood control, Pecan Bayou Lake, TX, from the deauthorization title.

##### CASSVILLE SMALL BOAT HARBOR, WI

This amendment removes the project for navigation, Cassville Small Boat Harbor, WI, from the deauthorization title.

#### TITLE XI

##### COST BENEFIT EVALUATION

This amendment provides that if a non-Federal interest has entered into an agreement pursuant to section 215 of the Flood Control Act of 1968, the interest rate to be used in determining the costs and benefits of the project is to be the rate applicable at the time of execution of the agreement.

##### SUMMERSVILLE LAKE PROJECT

This amendment would modify the provision in the bill concerning releases from the Summersville Dam, Gauley River, by increasing the releases from the Summersville Dam on the Gauley River from 2,400 cubic feet per second to 2,500 cubic feet per second.

##### UPPER MISSISSIPPI RIVER

This amendment modifies the provision in the bill addressing the management of the upper Mississippi River. It provides that approval of the master plan by this section is not to be deemed to be authorization of any recommendation in the plan. It also provides for an increased role of the Secretary of the Interior in the implementation of the plan. Furthermore, it provides that amounts authorized to be appropriated, and amounts appropriated are to remain authorized and available until appropriated or expended.

##### ELK CREEK LAKE

This amendment modifies the provision contained in the bill for Elk Creek Lake, Rogue River, Oregon and California. Authorization to the Secretary to study the feasibility of hydro-power is deleted and the Secretary is directed to include in the study of the project, funds previously appropriated by Congress, as sunk costs.

##### CORPS OF ENGINEERS CAPABILITIES STUDY

This amendment modifies the provision which would have the Corps of Engineers conduct a study to evaluate measures necessary to improve its capabilities to add a requirement that the corps also consider appropriate measures to increase reliance on the private sector.

##### FARMERS HOME ADMINISTRATION ASSISTANCE

This amendment modifies the provision in the bill concerning the use of Farmers Home Administration assistance to provide that the funds may be used to pay the non-Federal share of another Federal grant-in-aid program.

##### CROSS-FLORIDA BARGE CANAL

This amendment modifies the provision in the bill addressing the status of the Cross-Florida Barge Canal. The amendment clarifies that regulated public utilities may be considered for expedited approval of application for easements across the project property, clarifies the amount of money to be paid to reimburse the local governments for expenses incurred in land acquisition for the project, provides a mechanism for determining a date cer-

tain when the unconstructed portions of the project are to be no longer authorized, and clarifies that any lands owned by the Canal Authority and contained within the expanded boundary of the Ocala National Forest may not be transferred to an entity other than the Federal Government, if the unauthorization is to become effective.

##### MIAMI RIVER, SEYBOLD CHANNEL, FL

This amendment directs the Secretary to remove abandoned vessels and vessels subject to U.S. control by reason of seizure or forfeiture, in portions of the Miami River and Seybold Channel, FL.

##### OHIO AND WABASH RIVERS, STREAMBANK CONTROL

This amendment authorizes the Secretary to undertake streambank erosion control measures along a portion of the Ohio and Wabash Rivers, IL.

##### BREWERTON EXTENSION

This amendment permits funds appropriated for the Brewerton extension to be used to conduct dredging of the inland waterway from the Delaware River to the Chesapeake Bay.

##### SOUTH PLATTE RIVER, CO

This amendment modifies the project for flood control below Chatfield Dam on the South Platte River, CO, to permit the local interests to construct necessary highway improvements.

##### FOSTER JOSEPH SAYERS LAKE, PA

This amendment provides that the Secretary is authorized to construct necessary repairs on the Marsh Creek Bridge near Foster Joseph Sayers Lake, Centre County, PA, a corps constructed project.

##### DARK HEAD CREEK, MD

This amendment would declare a portion of the waterway located on Dark Head Creek in the community of Middle River, MD, as nonnavigable water of the United States.

##### CHEROKEE HYDROELECTRIC PROJECT

This amendment authorizes the Cherokee Nation of Oklahoma to design and construct hydroelectric facilities at the W.D. Mayo Lock and Dam on the Arkansas River in Oklahoma. Construction is to be by the Corps of Engineers, on reimbursable basis, and the power generated by the project is to be marketed by the Southwestern Power Administration.

##### DEVIL'S KITCHEN LAKE WATER SUPPLY

This amendment authorizes and directs the Secretary of Interior to sell municipal water to the city of Marion, IL, from water which may be available to the Devil's Kitchen Lake Project, Illinois.

##### CAVEN POINT AREA, NEW JERSEY

This amendment declares an area in the vicinity of Caven Point, Jersey City, Hudson County, NJ, to be a non-navigable water of the United States.

## SUNSET BEACH HARBOR, CA

This amendment authorizes the Secretary to enter into agreements with Federal project repayment districts for the repayment of the costs incurred by the Federal Government in developing water resource projects. It further permits a demonstration project of this non-Federal cost sharing at the Seal Beach Naval Weapons Station, Sunset Beach Harbor, Bolsa Chica Bay, CA.

## MIAMI RIVER AND SEYBOLD CANAL, FL

This amendment authorizes and directs the Secretary to remove polluted bottom sediments from a portion of the Miami River and Seybold Canal, Miami, FL.

## EISENHOWER AND SNELL LOCKS, NY

This amendment authorizes the Secretary to rehabilitate the Eisenhower and Snell Locks, Saint Lawrence River, Massena, NY.

Mr. Chairman, H.R. 6, which is the result of over 4 years of intense study by our committee, represents the first major construction authorization bill since 1970—and the most comprehensive and environmentally sensitive water resources bill ever developed. It is necessary to the dynamics of our Nation's economy; it is timely; and I urge its adoption.

Mr. STANGELAND. Mr. Chairman, I yield 4 minutes to the gentleman from Pennsylvania [Mr. CLINGER], a member of the committee.

Mr. CLINGER. I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in support of H.R. 6, the Water Resources Conservation, Development and Infrastructure Improvement and Rehabilitation Act of 1985.

The leadership of the Water Resources Subcommittee, Chairman BOB ROE and ranking member ARLAN STANGELAND, and the full committee chairman JIM HOWARD, and ranking member GENE SNYDER, are to be applauded for producing this innovative and timely bill.

You've already heard previous speakers outline the major provisions of this bill. I think you'll all agree this bill is comprehensive, it's fair to all segments of our society dependent on water infrastructure projects, and it fairly addresses the budget constraints now facing all areas of our Government.

By rising today, I want to focus members' attention on the implications of the new cost-sharing provisions contained in H.R. 6.

Until this year, harbor improvement projects were largely funded by the Federal Government. H.R. 6 changes this practice and requires local ports to assume between 10 percent and 55 percent of the project cost, depending on the depth of the dredging. H.R. 6 also stipulates that ports having depths exceeding 45 feet assume a por-

tion of their annual operation and maintenance costs.

For inland waterway transportation projects, H.R. 6 requires one-third of the construction cost be financed by the inland waterways trust fund, whose revenues are derived from a fuel tax on barge operators.

Flood control projects authorized by H.R. 6 will, for the first time, require local interests to pay at least 5 percent of the construction costs in cash, during the construction phase. This is in addition to the 20 to 25 percent noncash contribution that must also be provided by local interests, such as land, easements, right of ways, and relocations.

The significance of these cost-sharing provisions is important and I hope it is fully understood by all Members. By requiring local interests to ante up a portion of their own revenues and to share in the cost of construction, we are forcing local governments and users to pass judgement on the feasibility of the projects. We are, in essence, applying a local means test as a gauge of the non-Federal parties, interest in financing these projects.

Up to this point, the Federal Government provided the lion's share of all funding. Now we're spreading the costs, forcing potential project benefactors to draw their own conclusions and to judge the project's merits on the basis of their own ability to pay. And to reiterate a point made earlier by Mr. STANGELAND, cost sharing will greatly enhance the entire project selection and development process.

Mr. Chairman, cost sharing is a trend that is seeing wider and wider acceptance in a whole range of Federal programs, most notably in the areas of infrastructure. Cost sharing is now an integral part of sewer and water supply system construction programs and highway construction. Our waterways and ports should be no different.

Not to dwell too heavily on cost sharing alone, H.R. 6 offers many features that should merit the support of all Members. It authorizes long overdue rehabilitation projects for our Nation's water infrastructure system, it promotes rehabilitating our water supply systems through the establishment of a loan program, and it authorizes a number of water resource development and conservation projects that promote the safe keeping and enhancement of our environmental resources.

I urge all members to support this legislation.

□ 1440

Mr. STANGELAND. Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. SHAW], a member of the subcommittee.

Mr. SHAW. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, today we are considering H.R. 3670, the Water Resources Conservation, Development, and Infrastructure Improvement and Rehabilitation Act of 1985. This legislation has been anxiously awaited since 1970.

Legislation authorizing needed water projects around the country has often been labeled pork-barrel politics. Well, I am pleased to call your attention to a provision in this bill that is pure sizzle!

The Cross-Florida Barge Canal was authorized in 1942. Work began in 1968 until President Nixon halted construction in 1971 because of serious environmental problems and dubious economic benefits. One-third of the canal was completed at a cost of \$74 million.

The uncompleted portion of the canal would cut directly into the Floridan Aquifer, which provides drinking water to two-thirds of the populous of Florida. In 1977 the U.S. Army Corps of Engineers recommended against completion of the project, basing their decision on the poor dollar-return of the investment. Equally compelling is the completion cost estimate—\$500 million!

The uncompleted portion of the canal lies entirely within the district of Congressman BUDDY MACKEY. Buddy has fought tirelessly to kill this project since first coming to Congress.

H.R. 3670 turns the uncompleted portion of the canal into a national conservation area, forever preserving the beautiful Oklawaha River for generations to come. I compliment BOB ROE and ARLAN STANGELAND, ranking members of the Public Works and Transportation Subcommittee on Water Resources, for their attention to this controversial issue and I urge my colleagues to support this legislation.

Mr. Chairman, I would also like to point out at this time that the Water Resources Subcommittee went down to Florida, personally went out on the completed portion of the canal, and looked at the destroyed part of the Oklawaha River. They tirelessly listened to the testimony that was given by members of the environmental community and the business community of the State of Florida. They recognized the need to preserve the Oklawaha River, and they finally agreed with the gentleman from Florida [Mr. MACKEY] and with me that it was not to the best interests of the county to complete this canal.

In doing so, they worked out a compromise which was brilliant and which preserved the land that had been acquired for this canal. In doing so, they had some tremendous cooperation from Congressman BENNETT, Congressman CHAPPELL, and Congressman PEPPER, and, of course, Congressman MACKEY and I were able to work to-



gether to work out this compromise. I thank them for their efforts, for going to Florida, for the hearings, and for all the good work they did in bringing about the provisions in that portion of this bill that will deauthorize the Cross-Florida Barge Canal.

Mr. HOWARD. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama [Mr. ERDREICH].

Mr. ERDREICH. Mr. Chairman, I rise in strong support of the bill.

I know that communities across America have a keen interest in this measure, and that also includes Jefferson County, AL. Jefferson County and the city of Birmingham which I represent have been plagued for decades by flooding around what is called Village Creek.

Mr. Chairman, as this committee bill so ably recognizes, when it rains hard, Village Creek becomes a raging river that floods the residences and businesses located by the sides of it. This flooding has become not only frequent but deadly since the 1940's. I spoke to a man in one part of my district, in the Ensley neighborhood, who has seen flood waters rise over the top of his chain-link fence and neighborhood dumpsters wash away. And in 1965 a young man was drowned when the creek became a river and rushed down his neighborhood. By the end of the 1970's the Army Corps of Engineers estimated that flooding around Village Creek resulted in annual property damages of over \$2.7 million.

Mr. Chairman, it is clear that our cities alone cannot handle the problem of severe flooding, even though the city of Birmingham by itself has spent \$2.5 million beginning in 1930 and has spent millions of dollars since then. This bill addresses this important and urgent need, and I wholeheartedly endorse the measure and urge its adoption.

Mr. HOWARD. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. MILLER], a member of the Committee on Interior and Insular Affairs.

Mr. MILLER of California. Mr. Chairman, I appreciate the opportunity to address the issues raised by consideration of H.R. 6, the omnibus Corps of Engineers water resource project authorization bill.

This legislation contains many provisions of direct interest to those of us concerned with water resources development matters in the western United States. Indeed, many provisions in this bill as it was introduced, amended or revised statutes under the jurisdiction of the Committee on Interior and Insular Affairs. As chairman of the Subcommittee on Water and Power Resources, I was concerned by this effort to revise these laws.

Accordingly, Chairman UDALL requested sequential referral of H.R. 6 because the bill, as reported by the

Public Works Committee, contained a number of provisions revising or amending Interior Committee statutes. The Speaker granted this request and the Interior Committee considered H.R. 6 on September 11, 1985. The Interior Committee recommended several significant changes in the bill which I would like to discuss today.

One important change requires that non-Federal interests contribute at least 50 percent of the cost of feasibility studies for Bureau of Reclamation projects. This is currently the Interior Department's policy, but on too many occasions, the policy has been ignored.

We believe this is a significant reform because it will insure greater consistency between the planning programs of the corps and the Bureau. It will also insure that non-Federal entities pay a fair share of the cost of feasibility studies in a timely manner.

The Interior Committee also approved amendments which require further congressional action for any interstate compacts or agreements. H.R. 6, as reported, would have given the consent of the Congress for the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin to enter into agreements dealing with comprehensive planning of the Upper Mississippi River.

The Interior Committee amendments would authorize these States to enter into negotiations for an interstate water compact or agreement. Any agreement or compact developed by the States would become final only after ratification by an act of Congress.

The committee believes it is inappropriate for the Congress to give prior consent to any interstate water compact or agreement without full knowledge of the contents of the agreement. Agreements or compacts should be approved only after they have been submitted to the Congress as required by the Constitution.

The most important amendments approved by the Interior Committee were those recommending deletion of title XII from H.R. 6.

Title XII would make two important changes in existing law. First, it would establish a National Board on Water Resources Policy to coordinate Federal water resources policies and programs, and undertake planning studies. The Board would also establish, by rule, principles, standards, and procedures for the formulation and evaluation of Federal water projects.

Second, the Board would make grants to States to assist in water resources planning. A total of \$100 million is authorized to be appropriated for fiscal years 1986 through 1990 for these planning assistance grants.

I appreciate the efforts of the Public Works Committee to fashion a bill to gain the strong support of those interested in reforming water resources

policy. I understand why they included the Board and the State grant program in H.R. 6. However, I do not believe either of these proposals merit enactment at this time.

I believe it is important to provide some background on the issue of a water policy Board. The Water Resources Council [WRC] was established in 1965 to serve as a focal point for Federal activities on water resources policy. For over 15 years, the Council served as a forum through which water resource issues could be discussed, greater consistency developed, and liaison with the States could take place.

However, in 1981, the administration terminated funding for the Council, as well as for the six river basin commissions which also were established in 1965. At the same time, the principles and standards for planning projects, which had been implemented as rules in 1979, were revised and reissued as guidelines. Moreover, authorization and appropriations for the State grant program were not extended.

Thus, the administration and the Congress have chosen not to fund either the existing Water Resources Council or the State grants. I have not received any indication from the administration that they have changed their minds on funding this new National Water Resources Policy Board or \$100 million in State grants.

Moreover, I doubt whether creating another agency of the Federal Government will, in fact, lead to genuine water resource policy reform. The Water Resources Council was created to provide leadership and improvement in Federal water resources activities. However, the Council was ineffective in implementing reforms and providing leadership on such issues as eliminating uneconomic projects, tightening project evaluation criteria, reducing Federal expenditures on water projects, and promoting less expensive and environmentally damaging solutions to water problems. The cosmetic changes in membership and voting rules required by this legislation for a new Board will not result in genuine reforms.

I appreciate the effort to achieve uniformity in Federal planning efforts by requiring the Board to promulgate, by rule, new planning principles, standards, and procedures (hereafter "Principles and Standards"). It is important to note that the principles and standards were issued as rules in 1979. However, they were reissued as guidelines in 1981. The important distinction between "rules" and "guidelines" is that rules are third party enforceable through court action. Thus, if the principles and standards were issued as rules, any deviation from the rules by Federal planners could lead to

court action and further delay in the completion of projects.

It should also be noted that H.R. 6, as reported, requires that the new principles and standards include a new "regional economic development" objective for each project. The effect of this requirement will be to artificially enhance the benefits of many otherwise uneconomic projects. I strongly believe that the principles and standards should provide a fair evaluation of water projects and result in worthy projects, not open the door to uneconomic projects.

Finally, there is the matter of authorizing \$100 million for water resource planning grants to the States. Funds for this purpose were first authorized by the Interior Committee in 1965. Between 1965 and 1980, that authorization never exceeded \$5 million per year. In 1981, both the administration and the Congress agreed to allow the program to lapse. Since 1981, no funds have been appropriated for the State grants program.

Mr. Chairman, I do not see a compelling need to authorize \$100 million in State grant funds. The original 1965 funds assisted the States to establish their planning programs. The Federal Government continued this assistance for over 15 years. The program worked; it did the job. Given the need to reduce Federal expenditures, and the fact that no funds have been made available for 5 years, I don't see any justification for reestablishing a \$100 million program.

Mr. Chairman, I appreciate the hard work of the Public Works Committee to fashion a fair bill. However, I hope all Members will carefully consider their vote on this bill. The staggering costs of this bill—almost \$13 billion—are sobering. They are outweighed only by the immense task facing this country to provide a sound public works infrastructure.

□ 1450

Mr. HOWARD. Mr. Chairman, I yield 4 minutes to a valued member of the Committee on Public Works and Transportation, the gentleman from California [Mr. Bosco].

Mr. BOSCO. Mr. Chairman, I rise in strong support of H.R. 3670. I would particularly like to commend the chairman of the Water Resources Subcommittee, Mr. ROE, for his tireless efforts in fashioning this truly landmark legislation.

As members of the Public Works and Transportation Committee are well aware, the citizens of Sonoma County in California have faced a disastrous wastewater storage crisis that continues to cloud the entire county's economic future. Over the last several months, the county has experienced a moratorium on all new sewer hookups and thousands of residents who rely on the Russian River for their water

supply have faced potentially serious health hazards.

H.R. 3670 will directly address this situation by authorizing a wastewater reclamation project.

Pursuant to this, Mr. Chairman, I would like to engage the gentlewoman from California in a short colloquy.

I yield to the gentlewoman from California, who has been most diligent in seeing that the concerns of the residents in southern Sonoma County are adequately addressed in this legislation.

Mrs. BOXER. I thank the gentleman for yielding, and I commend my colleague's efforts in helping remedy the serious problem of wastewater disposal in Sonoma County. It is my understanding that the modified language included in the committee floor amendment provides flexibility in terms of what the Corps of Engineers can construct rather than the original committee-approved language. In other words, the marsh or wetlands alternatives will be included. Is that the gentleman's intent?

Mr. BOSCO. My friend is correct. The committee floor amendment language will allow the corps to proceed with one or all of the possible reclamation alternatives, which include construction of the Tolay Lake project or marsh or wetlands creation. This added flexibility should allow the corps to develop the most cost-effective and environmentally sound approach among the competing alternatives.

Mrs. BOXER. The language of the amendment describes the location of the project as "in the vicinity of the former site of Tolay Lake in Sonoma County." Is it the gentleman's intent that this language describe any appropriate location within the county of Sonoma?

Mr. BOSCO. The gentlewoman's understanding is correct, and in fact it is my intent to request modification of the language in conference to clarify the issue of location. The intent of the language is to encompass all alternatives described in the Environmental Impact Report, wherever they may be located in the county of Sonoma?

Mrs. BOXER. Is it not also the gentleman's intent that this project be developed in coordination with the local governments in the area?

Mr. BOSCO. Absolutely. The language specifically directs the corps to undertake extensive consultation with all affected local governments. This will ensure that south county residents have ample opportunity for input into project development.

Mrs. BOXER. Finally, I would like to ask my colleague if it is his intent to specifically preclude the construction of the ocean outfall alternative?

Mr. BOSCO. The language would specifically preclude construction of the ocean outfall alternative. It is my

belief that such a solution would be environmentally unacceptable, and could lead to litigation and delay.

Mrs. BOXER. Mr. Chairman, if the gentleman will yield further, I would like to say to the gentleman that it has been a pleasure working with him on this project. It is a very difficult one, and with us working together and with the chairman, I think we can come to a successful conclusion.

Mr. BOSCO. Mr. Chairman, as a strong supporter of H.R. 3670, the Water Resources Conservation, Development, and Infrastructure Improvement and Rehabilitation Act of 1985, I would like to bring to my colleagues' attention an important flood control project in this measure affecting the citizens of Lake County, CA.

Over the last several years, recurring flooding around Clear Lake has caused severe damage to the surrounding community. Several urban areas, as well as over 4,000 acres of agricultural lands, have been continually threatened. Future development along the entire Clear Lake rim has also slowed due to understandable concern over flooding conditions.

Recognizing that the lake level cannot be controlled until the capacity of the Clear Lake outlet channel is increased, Lake County officials and concerned citizens have been meeting regularly over the last 10 years to help develop an effective means for increasing this capacity. In 1979, the Corps of Engineers proposed a project for improvement of the outlet channel and construction of a 1.1-mile-long bypass channel around the large rock obstruction located in the channel. In 1984, this project was approved by the Lake County Board of Supervisors.

Since then, however, the bypass channel alternative has engendered much controversy. The proposed bypass would pass directly through the Anderson Ranch property, which has been acquired by the State park system. I strongly agreed with those concerned about the proposed channel's effects on the sensitive environmental and archeological resources of the park. In fact, the new additions to the park should help the local economy by enhancing the county's tourism industry.

Fortunately, the entire Lake County community has since united in support of an alternative \$25 million plan authorized in H.R. 3670. In lieu of the controversial bypass channel, H.R. 3670 would direct the corps to accomplish its flood control objectives by directly removing the rock formation at the outlet channel and widening and deepening the channel as described in the Corps District Engineer's Feasibility Study.

While the locals recognize that this may entail slightly higher non-Federal costs, it should effectively alleviate the flooding problem while protecting the environmentally and archeologically sensitive State park. It is clearly recognized as more responsive to local needs, and will ultimately avoid local conflicts that could both esca-



late costs and delay any flood control action for years.

In closing, Mr. Chairman, the proposed Cache Creek flood control project is just one of many examples underscoring the timely and responsive nature of H.R. 3670. I urge my colleagues to support this truly landmark legislation.

Mr. STANGELAND. Mr. Chairman, I yield 3 minutes to the gentleman from Louisiana [Mr. MOORE], a member of the Ways and Means Committee.

Mr. MOORE. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in strong support of the Water Resources Conservation, Development, and Infrastructure Improvement and Rehabilitation Act of 1985. The people of this Nation have waited too long a time for new water projects from Congress to protect them from floods and to provide them with jobs. My State of Louisiana is a poignant reminder of the need for water projects. Last week, Hurricane Juan struck and much of southern Louisiana was flooded. 50,000 people were left homeless, most of our agricultural crops were destroyed, and the State is left with over 1 billion dollars' worth of damage. New levees and pumping stations could have prevented most of the damage and saved many lives. Water projects are not pie in the sky to us. They provide necessary protection for our citizens and commerce.

H.R. 6 provides needed protection for residents of my district along the Amite, Comite, Tangipahoa, Tchefuncte, Tickfaw, Bogue Chitto, and Natalbany Rivers, and the Pearl River Basin. These areas have experienced 200-year floods in the last 6 years, causing hundreds of millions of dollars of damage and countless misery for the areas residents.

This bill also provides for the improvement of the Mississippi River ship channel from the gulf to Baton Rouge. This channel deepening will provide benefits to our entire Nation at benefit/cost ratio of 8:1 and ensure that two of the Nation's greatest ports, Baton Rouge and New Orleans, as well as one of the Nation's most important industrial areas, will continue and improve their service to the American economy.

H.R. 6 also protects the environment. This bill includes provisions that will insure that the Atchafalaya Basin, this Nation's largest hardwood swamp, will be there for our sons and our son's sons. In a unique program, the State of Louisiana and the Federal Government are cooperating in the purchasing of 50,000 acres of land to preserve this natural wonder.

But I do not only support this bill because it authorizes projects that will help my State and our Nation, but it achieves this while controlling costs.

This bill deauthorizes over 300 projects at an estimated savings of \$11 billion. Furthermore, this bill includes cost-sharing provisions on port construction and an ad valorem tax on cargo that will save the Federal Treasury billions of dollars.

Our citizens have waited a long time for this bill and the time is now for Congress to act. We cannot afford to let this Nation's great water resources to decay. This bill is more than a simple authorization, it is an investment in our future.

I urge Members to support this bill to insure flood protection for our people and safe navigation for our commerce.

Mr. STANGELAND. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana [Mr. MYERS], the ranking Republican on the Subcommittee on Energy and Water Development of the Committee on Appropriations.

Mr. MYERS of Indiana. Mr. Chairman, I rise in support of this legislation. I join many others here in complimenting the twins from New Jersey, Chairman HOWARD and his colleague who have worked so closely together here, as well as the two ranking Republican members here, the minority members, the gentleman from Kentucky [Mr. SNYDER] and the gentleman from Minnesota [Mr. STANGELAND].

It has been 15 years since we have had a bill this size dealing with this subject that came to the floor. It has been 9 years since we have done anything at all to amend these projects. It has already been suggested that these two members, the gentleman from New Jersey [Mr. ROE] and the gentleman from New Jersey [Mr. HOWARD] who have worked diligently for the last 3 years to bring a bill to the floor, as well as the gentleman from Minnesota [Mr. STANGELAND] and the gentleman from Kentucky [Mr. SNYDER]. They do have a very good bill here. They tried to perform and were unsuccessful, through no fault of their own.

Through the years from the Appropriations Committee I have learned to work with this committee. They have always been most easy to work for.

But it always concerns me that once in a while, as has already been suggested here, we refer to the programs provided for in this legislation as "pork barrel." When I hear that I look at the individual who uses the media and think how sorry it is these people have not examined what is really in this legislation.

We take this water for granted. We do not make any more water. We do not manufacture water. It is always there. We just turn the faucet on and it is there; but this bill deals with water, whether it be municipal and industrial water, such as we drink, and we are drinking more and more water every day and using more and more in

our everyday life, as well as for industrial use.

But also this committee deals with the excess water that we are experiencing just a few miles from here in Washington, the floods.

But a very important role is transportation, also provided for in this legislation, water transportation, inland waterways, as well as the ports that are so important to our commerce and the balance of trade.

This possibly is one of the most important bills that will come before this Congress this year. I know we hear that so often, but the word infrastructure, whatever it means, it means that we are investing in our own future. I know of no other legislation that meets the test that these programs provide in this legislation that will return more to the investors, the American taxpayers, that we have to answer to every day. No other bill has to meet a test that brings back and returns more to them than it costs.

This is a bill that every Member of this Congress, every Member of this body should support.

I again congratulate the members of this committee for bringing this very fine bill to the floor.

Mr. HOWARD. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. MURPHY].

Mr. MURPHY. Mr. Chairman, I want to thank the gentleman from New Jersey [Mr. HOWARD] and the gentleman from New Jersey [Mr. ROE] for their excellent efforts in crafting this bill after so many months and spending so much of their valuable time and submitting it today to the floor of the House for consideration. I appreciate their efforts.

As we stand here this afternoon and deliberate this very important measure, there is a serious flooding condition developing in the Monongahela River Valley of southwestern Pennsylvania. I received a call just about a half hour ago that a community is already under 3 feet of water. They are evacuating people from their homes in rowboats and the condition will become extremely serious for about 46 miles of riverfront from Brownsville to Pittsburgh. Pittsburgh is already over flood stage.

We only have two dams that are preventing a national disaster in the Monongahela Valley today. One was built in the 1960's. The other was remodeled in the 1970's. This measure provides for the replacement of locks and dams numbers 7 and 8 near the headwaters of the Monongahela River where the Cheat and Tygart form the Monongahela River near the border of West Virginia.

□ 1505

These locks and dams were constructed in 1925 and are in a deteriorated

rated condition. Today I have a report that the water has inundated these two locks and dams and we can hardly see anything except the one structure above the one lock, that being the control house. The rest are under water.

We can only hope that in southwestern Pennsylvania, when the waters recede and the rain stops, that these locks and dams will still be in place, for they carry thousands and thousands of tons of coal from the coal fields of southwestern Pennsylvania and West Virginia to the industrial heartland of America. We will have a national tragedy on our hands of unparalleled proportions in western Pennsylvania if these locks and dams collapse.

I want to commend the committee for their foresight. I hope we expeditiously pass this and the other body does the same so that within a few years we can have new dams and locks and prevent this type of disaster.

Mr. STANGELAND. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. BLILEY].

Mr. BLILEY. I thank the gentleman for yielding this time to me.

Mr. Chairman, tomorrow Congress will debate and hopefully pass H.R. 6. I want to voice my full support for the bill and thank Chairman HOWARD and Chairman ROE for bringing this bill to the floor.

H.R. 6 includes a flood control project along the James River protecting important parts of the city of Richmond, which is in my district.

When I left Richmond this morning, the weather reports said that the rains would continue and the river would possibly rise to 28 feet, which will cause the third most devastating flood in that great city's history. This is just one more sad chapter in a long story of flood problems and the costs which are attributed to those floods.

The floodwall will turn back those floods, prohibit the costly damages and allow for economic development generating revenues for the city and the Nation.

There are many other districts in the same situation as mine. We need H.R. 6 and we need it now. Mr. HOWARD, Mr. ROE, Mr. SNYDER, and Mr. STANGELAND have known this for quite some time. I have always supported them and will continue to do so. I ask all Members to join me in support of H.R. 6.

Mr. STANGELAND. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. RIDGE].

Mr. RIDGE. I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in support of H.R. 3670. Mr. Chairman, the arrival of H.R. 3670 on the House floor today is a very welcome sign of progress on efforts to address our deteriorating water resources infrastructure. Every Member in this body has a vital inter-

est in H.R. 3670, which will enhance the many benefits our Nation's water resources bring to this country.

Like many Members in the well today, I have a special interest in this bill. As a Representative of the beautiful Pennsylvania shoreline gracing Lake Erie, I have seen over the years the need for an erosion control project to protect the coast of Presque Isle State Park. To many of you, Presque Isle is just another name on a shopping list of urgent projects in need of Federal funding. Indeed, many are not aware that over 4 million people visit Presque Isle Park each year, and that is twice the number that the Grand Canyon National Park attracts. To these visitors, and to the residents of northwestern Pennsylvania, Presque Isle provides economic livelihood to area businesses, and recreational escape to vacationers.

A serious erosion problem at Presque Isle was first identified over 20 years ago when the Corps of Engineers studied the shoreline. To combat erosion, a system of 58 breakwalls was recommended for construction in a report issued by the corps in 1981. Continued delay of this construction is causing serious damage to public as well as private facilities along the shoreline, threatening future development of Presque Isle's surrounding areas. For these reasons and many more, I cannot stress enough the significance of this project contained within H.R. 3670.

Mr. President, because Presque Isle is so important to my district for so many reasons, I have followed this omnibus legislation closely. I cannot conclude my remarks without expressing my gratitude and deep admiration to the members of the Public Works Committee and their staff who have worked so diligently to bring this bill to the House floor today. My special thanks must be extended to the distinguished chairman of the full Public Works Committee, Mr. HOWARD; the chairman of the Water Resources Subcommittee, Mr. ROE; as well as our respected ranking members, Mr. SNYDER and Mr. STANGELAND.

Certainly, any bill of this scope and complexity could not possibly garner the support of every Member in all its details. Indeed, I maintain reserved objections to certain provisions of the navigation tax title. However, there is no question in my mind that any objections to specific provisions must not endanger the final passage of this much needed, and long-overdue authorization measure. The authors of H.R. 3670 crafted a fine piece of legislation, and I urge my colleagues on both sides of the aisle to endorse and approve this important measure before us today.

Mr. EDGAR. Mr. Chairman, will the gentleman yield?

Mr. RIDGE. I yield to the gentleman from Pennsylvania.

Mr. EDGAR. I thank the gentleman for yielding.

Mr. Chairman, I would like to commend the gentleman for his statement. I had the opportunity, on Sunday morning of this week, to look at the erosion process along the peninsula within the boundary lines of Erie and I believe that it is a very worthy project. We are pleased that it is in this bill and I commend the gentleman.

Mr. RIDGE. I appreciate the gentleman's remarks and his support for this particular legislation and, indeed, this special project.

The CHAIRMAN. The Chair will state that the gentleman from New Jersey [Mr. HOWARD] has 5 minutes remaining and the gentleman from Minnesota [Mr. STANGELAND] has 10 minutes remaining.

Mr. STANGELAND. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. BOULTER].

Mr. BOULTER. I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in strong support of H.R. 6. When this House passes H.R. 6 tomorrow, it will be an important milestone for the city of Wichita Falls, TX. That city has a severe flooding problem. It floods there nearly every year and there is about \$346 million worth of property that is subject to flood damage.

Last June, Congressman TOM DELAY, and Congressman TOM LOEFFLER, and I were holding hearings in the city of Wichita Falls dealing with the problem, and almost as we were holding the hearing, the body of a very young boy was discovered who had lost his life in a flood in June in Wichita Falls.

In 1982, almost \$30 million worth of property damage was caused by this chronic flooding problem.

So we clearly have a project that is very much needed. H.R. 6 authorizes this flood control project and I want the Members of this body and my colleagues to know that in July the city of Wichita Falls acted on a promise to do everything it could to provide its share for cost sharing overwhelmingly, by a margin of some 87 percent, and passed a bond issue which would provide that city's share of the costs.

On several occasions, Mr. Chairman, I have discussed the Holiday Creek project with the chairman and ranking members of both the full committee and the subcommittee, and I just want to thank the gentlemen from New Jersey [Mr. HOWARD and Mr. ROE], the gentleman from Kentucky [Mr. SNYDER], and the gentleman from Minnesota [Mr. STANGELAND] for their strong support of this project.

Mr. HOWARD. Mr. Chairman, I yield 2 minutes to a valued member of



our committee, the Delegate from the Virgin Islands [Mr. DE LUGO].

Mr. DE LUGO. I thank the gentleman for yielding this time to me.

Mr. Chairman. I rise in support of this legislation. The substitute bill, H.R. 3670, is a bold and innovative attempt to deal with the Nation's water resources infrastructure. This attempt has been long overdue, and I commend the chairman of the Public Works Committee, Mr. HOWARD, and the chairman of the Subcommittee on Water Resources, the hard-working Mr. ROE, for their insight and leadership.

Distant from supplies and markets, with limited natural resources, and at varying levels of development, the insular areas of our country are far more dependent upon ocean shipping and impacted by its expense than are other areas of the mainland United States.

Because of the unique dependence of the insular areas on ocean freight for almost all consumer and business goods, we sought an exemption from the harbor-use tax created by the bill. With the assistance of Chairman UDALL, we were able to secure such an exemption in the Interior Committee markup of this bill, and I thank the chairman for his consistent consideration and understanding of the needs and problems of the insular areas.

The substitute bill, as it now stands, provides that cargoes imported into the insular areas from the mainland would be exempted from the tax, while exports from the insular areas to the mainland would remain subject to the excise tax.

This partial exemption, as developed by the Ways and Means Committee, recognizes the adverse impact that such a tax on ocean cargo would have on the ability of consumers in the insular areas to purchase the bare necessities of life, especially given the already high cost of living in the insular areas, which far surpasses that on the mainland.

I appreciate Chairman ROSTENKOWSKI's consideration and support in this matter, and I urge support for the legislation.

□ 1515

Mr. STANGELAND. Mr. Chairman, I yield 2 minutes to the gentlewoman from Nebraska [Mrs. SMITH].

Mrs. SMITH of Nebraska. Mr. Chairman, I would like to express my deep gratitude to the gentleman from New Jersey [Mr. ROE], our distinguished chairman; and the gentleman from Minnesota [Mr. STANGELAND], our distinguished ranking minority member, and all the members of the committee and the staff for this legislation that I know you have worked on for more than 4 years.

It is going to be a great thing for our whole country. I am so grateful that in

Nebraska our section, sponsored by all of our delegation, has been approved, because now, for the first time, we are going to have a change to stop that tremendous flooding on the Platte River that we have endured year after year.

I know many times we have said that every \$1 invested in flood control yields \$7 back, and this program will demonstrate sound economic judgment on the part of Congress. This will be a great thing for our Nation.

Mr. Chairman, I rise in support of section 530 of title V of H.R. 6 and of the bill itself. This bill and this section present the best hope the people of Nebraska have had in nearly 15 years for addressing the increasingly frequent and intensifying chronic flood problems along the Platte River and its tributaries.

This huge, complex bill may need some fine tuning. This legislation for the first time attempts to address the extraordinarily difficult issue of cost-sharing—an issue that I have grave concerns about.

It always seems that upfront money demands are made upon people who can least afford to pay it. The bill's clear acceptance of in-kind contributions—studies, repairs, improvements, property easements, operation, maintenance, and other forms of noncash work—as well as cash, helps meet some of my concern about the cost-sharing concept. Time will tell whether the bill's provisions are beneficial to State and local interests and to the Nation at large.

I intend to support the amendment by my good friends and colleagues, the gentleman from Wyoming [Mr. CHENEY] and the gentleman from California [Mr. MILLER] that would strike title XII, which would create a totally useless National Water Policy Board to replace the totally useless—and still authorized—Water Resources Council.

As long as this country's policy is to leave water-development decisions to State and local jurisdictions, there is no real need for a national body that does nothing but plan.

Arguments that much duplication of time and money occurs for lack of such a bunch of bureaucrats has been made. But I submit that this Nation's water problems are so many, so diverse, spread over such a huge geographical area, that no single Federal agency can presume to decide whether, for example, Nebraska's people are in greater need than, say, the people of Texas, or Oregon, or Alaska.

I say it is the responsibility of State and local leaders to convey to their elected Representatives in the Congress their respective needs for water-planning action.

And it is Congress' job—not the proper function of Federal bureaucrats, no matter how expert—to winnow these demands and needs and

assign priorities among regions, to resolve conflicts, to set the terms and conditions under which Federal dollars shall be used in the continuing productive partnership between Federal and local resources.

I intend to oppose any amendment that would revive the infamous plan of last year put forth by the Office of Management and Budget that would have immediately more than doubled the bills for electric power to dozens of cities and towns in my district dependent for all or part of their needs upon hydroelectrically generated power from Federal facilities.

This sharp additional cost would be passed on immediately to the desperately financially troubled farmers, ranchers, businessmen, and all consumers generally in rural Nebraska.

Testimony before my Appropriations Subcommittee on Energy and Water Development earlier this year revealed that the cost to Nebraska's municipalities alone would have jumped to more than \$6.7 million this fiscal year from only about \$3.7 million in the previous 12-month period.

It is my understanding that an amendment will be offered aimed at making these towns and their power customers begin paying higher bills by requiring a straight line amortization, including interest at current rates.

This would break agriculture—pure and simple. Even if the proposed cap of an annual increase of 5 percent were adopted, it would still be an unwarranted burden on people who already are in deep trouble.

Last year, Congress rejected the idea out of hand. I will ask my colleagues to reject it again—as it should be, at least until prosperity again smiles on our agricultural sector.

As for port taxes and user fees generally, I have reservations. Any additional freight charge on agricultural products seems to be passed mainly back to farmers and ranchers—not forward to consumers. Any such additional change tends to make our farm products less and less competitive in foreign trade. Our farm exports are plummeting—by 25 percent in value since 1980. The agricultural trade surplus has dropped to \$12 billion currently from \$19 billion a year earlier.

This is happening mostly through no fault of our producers. Indeed, the Federal Government's well-intentioned but misguided policies have smashed our agricultural sector with soaring inflation, skyrocketing interest rates, subpar commodity prices, an overvalued U.S. dollar, sharper and unfair foreign producers' practices and policies, destructive cargo-preference laws—and now more users fees and port taxes.

On behalf of the people of Nebraska's Third Congressional District, I thank the distinguished chairman and

ranking minority member for accepting my plan, set forth in section 530 of title V, for Nebraska as part of this important public works bill.

This legislation is not perfect, but we have run out of time both along the Platte River and the Halls of Congress. With \$1 billion of property and crop damages being reported in recent years in Nebraska and other farm States from floods, we can wait no longer.

My plan would authorize a 5-year, \$25 million program of construction of conventional and innovative flood control, bank stabilization, and wildlife enhancing demonstration projects beginning with the 46-mile reach of the Platte River from Hershey eastward to the Lincoln County line.

As the second ranking minority member of the House Appropriations Subcommittee on Energy and Water Development, I have always looked to State and local leadership in shaping Federal water policies affecting Nebraska.

Therefore, our Nebraska section provides that demonstration projects shall be carried out in coordination and consultation with a watchdog Platte River advisory group consisting of representatives of the State of Nebraska and local political subdivisions, affected Federal agencies such as the Bureau of Reclamation, and such other private water planning and preservationist organizations as the Secretary of the Army may designate.

My plan was crafted in consultation with the two other Nebraska Members in the House, who are joining me in sponsoring this legislation. Technical guidance was provided by the Army Corps of Engineers planning experts, the House Office of Legislative Counsel, and the Public Works Committee staff.

Testimony about the problems was presented to my appropriations subcommittee by representatives of the Twin Platte Natural Resources District and the Platte River Flood Control Association. My plan can be changed and amended as the bill H.R. 6, moves through the full legislative process, including consideration of a Senate version, and, presumably, in a House-Senate conference committee to reconcile differences in the two versions.

Most importantly, money can be spent for any demonstration projects under my plan only with the approval of my House Appropriations Subcommittee on Energy and Water Development.

The subcommittee holds hearings annually here in Washington, usually late in March or early April to allow State and local leaders to express themselves about individual projects. Special hearings can be scheduled sooner than that in cases of emergency.

I hope and trust that our State and local water planning experts will avail themselves of the many opportunities to help us refine this new flood-fighting plan.

Here are key provisions of my plan as detailed by this amendment:

The Army Secretary is authorized and directed to establish and conduct for 5 years at multiple sites on the Platte River and its tributaries in Nebraska a demonstration program consisting of projects for flood control and streambank erosion prevention.

Objectives are the protection of property, environmental enhancement, and social well-being.

Every new, old, experimental, or innovative device, structure, and technique is authorized to be employed in trying to solve the difficult problems encountered in trying to use and conserve the Platte River waters and stabilize river banks. This includes dams, concrete jettys, special erosion-fighting fence-like arrangements, discarded automobile tires—anything that will work.

Use of construction funds for planning and research is authorized, including employment of all the new information and techniques developed under the Streambank Erosion Program conducted under section 32 of the Water Resources Development Act of 1974. Even though this program expired on September 30, 1982, little effort has been made to exploit its significant research and development work.

Environmental impact of each demonstration project and each streambank measure shall be evaluated with the view of enhancing wildlife and wildlife habitat as a major purpose co-equal with other purposes and with the view of minimizing environmental losses.

Demonstration projects shall address a variety of geographical and environmental conditions beginning with the Lincoln County area, moving thence to that reach from the boundary between Colfax and Dodge and in eastern Nebraska to the confluence with the Missouri River and that portion of the Elkhorn River from the boundary between Antelope and Madison Counties to the confluence with the Platte River.

As in many other Army corps projects, construction and planning shall be at full Federal expense, but State and local entities must provide lands, easements, and rights-of-way necessary for construction, operation, and maintenance of the demonstration projects, and other cost-sharing as provided in other sections of this bill.

The Army Secretary must report to Congress each year of the demonstration program on work undertaken.

I urge my colleagues to approve this section and the bill on final passage.

Mr. STANGELAND. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Louisiana [Mr. LIVINGSTON].

Mr. LIVINGSTON. I thank the gentleman for yielding me this time.

Mr. Chairman, ever since I came to Congress, I have been supporting and working for a bill of this nature to become passed so that it will help millions of Americans who need protection from unnecessary flooding around the country. I actually served on this subcommittee for 4 years, and I can tell you that it has been a source of constant frustration and irritation every time we come close but we are unable to pass this bill. One year, the bill I think even was the very last measure on the floor before the whole session ended, and the clock ticked out, and we were not able to pass it.

But, in fact, the bill is critical to many people who are indeed suffering from unnecessary flooding, because this bill cannot get through the Congress. Just last week, thousands of Louisiana citizens were flooded from their homes unnecessarily. I say unnecessarily because legislation such as this could have prevented those floods.

Some people say this is pork barrel. It is not pork barrel, it is pure survival for many, many people.

It does not take much water, Mr. Chairman, to totally disrupt the lives of an American family as they get flooded from their home. One inch will cause them to pull up their rugs and throw them out. Two or three inches of water will rise into the baseboards and into the sheetrock. They have to pull the baseboards out, they have to cut out the sheetrock, and they have to pull out the insulation and throw it away and totally redo their houses. Four inches to a foot gets the furniture and the appliances, and the refrigerator goes out, and they have to live out of an icebox or an ice chest. And 2 to 3 or 4 feet of water and, of course, the beds are gone, their clothing is no good any longer, and in all likelihood, they will lose their automobile as well.

Mr. Chairman, flooding is a misery, and it brings abject misery to American families and it can be stopped. That is why it is within our power and we should pass H.R. 6.

Mr. STANGELAND. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I am pleased to rise in support of H.R. 6, the Water Resources Conservation, Development, and Infrastructure Improvement and Rehabilitation Act of 1985.

This bill is the result of 34 days of hearings which were held over a 3-year period, during which testimony was received from 486 witnesses. The subcommittee has heard testimony from all interested parties including Members of Congress, Federal and



State officials, representatives of local organizations, environmental groups, and concerned citizens. We have carefully examined the concerns and recommendations of all parties. The result is a bill which presents innovative, yet equitable solutions to the complex economic, political, and social issues posed by the creation of a nationally coordinated water resources policy.

Mr. Chairman, I rise in support of H.R. 6, the Water Resources Conservation, Development and Infrastructure Improvement and Rehabilitation Act of 1985.

The bill is the result of extensive hearings, and I am not going to go into that in depth, but I just want to say that I am very appreciative of the many hours that the members of the subcommittee and the full committee have devoted to this legislation. I certainly want to express my gratitude and appreciation to the chairman of the subcommittee, the gentleman from New Jersey, Mr. ROE, with whom I have been privileged to work on this legislation for his diligence, his fairness, having heard everyone who wants to be heard on the matter.

I also want to commend the chairman of the full committee, the gentleman from New Jersey [Mr. HOWARD], for allowing the Public Works and Transportation Committee to work in an open forum, to hear all sides so when we craft legislation, it is legislation that all can agree with.

I also want to acknowledge the leadership and the assistance of the committee's ranking Republican, the gentleman from Kentucky [Mr. SNYDER], a man who in the 100th Congress is going to be sorely missed. Certainly it will be a tribute to his hard work on that committee for many, many years when we finally pass H.R. 6 and it becomes law.

You know, it has been said, and there has been talk of pork. Let me tell you that some people's pork is other people's bread and butter.

Why does this bill come out of the Public Works and Transportation Committee unanimously? It is because the Public Works and Transportation Committee works in a bipartisan, non-political fashion. And why do they work that way? It is because this bill affects every Member in this House of Representatives. Why does it affect every Member? Because the benefit accrues from this legislation on every citizen of these United States, and there is no pork. It is good, sound business sense, good sound economic sense, and good sound environmental sense to pass H.R. 6.

I would hope that when final passage comes that this bill passes out of here even more overwhelmingly than it did twice last year.

Mr. Chairman, the enactment of a comprehensive water resources law is long overdue. The last water resources development bill to be signed into law was in 1976.

The last true construction authorization law was enacted in 1970. The failure of this Nation to enact such a law has not been due to a lack of concern by this body.

Many of you remember that during the 95th Congress both the House and Senate passed omnibus water project authorization bills, but final agreement could not be reached before the adjournment of that Congress.

During the 96th Congress the House again approved a water resources development bill. The Senate, however, was not able to complete its work before adjournment.

Despite the diligent effort of many Members of this body—many days of hearings that were held—the House and Senate were unable to approve a water resources development bill during the 97th Congress. The effort during that Congress, however, helped to produce the water resources development bill which was approved on two different occasions during the last Congress and, I might add, by overwhelming margins. This legislation, however, failed to become law due to the opposition of the administration and the inability to bring a bill to the floor in the Senate despite widespread support in that body.

Mr. Chairman, the time has come to act decisively on the paramount issue of creating a nationally coordinated policy for water resources use and development. Our Nation's infrastructure is in dire need of repairs, rehabilitation, and improvement. The importance of this infrastructure to the economic well-being and quality of life of all Americans makes it imperative that we develop a water resources policy through which Federal and State governments can work together to maintain our existing infrastructure and provide for continual growth in this way, we can help to meet the needs of our Nation.

It is not only an important bill from a national perspective but it is important regionally and locally.

In my region, for example, the bill makes significant strides toward economic development in a way that is both fiscally responsible and environmentally sensitive. The bill calls for construction of a second lock at Sault Sainte Marie, MI, and expedited study of a second lock parallel to the existing Poe lock. Also as part of the committee amendments printed in yesterday's CONGRESSIONAL RECORD, at my request we will be adding authorization of rehabilitation work for the Eisenhower and Snell locks on the St. Lawrence Seaway. Repair of these locks is needed to ensure that the system continues to function efficiently. The recent breakdown of the Welland Canal, under the jurisdiction of Canada, demonstrates the essential nature of these improvements to movement of cargo in the Great Lakes region.

I am also happy to be able to report that our bill ensures that traffic on the St. Lawrence Seaway will not be subject to double taxation. Our bill authorizes a credit for seaway tolls paid by vessels against the new ad valorem port user charge which is authorized in title XV of the bill.

Also contained in the bill are provisions to implement the Upper Mississippi River Basin plan developed in cooperation with the affected States and the Federal Government. The upper Mississippi region is a unique and environmentally sensitive region which is heavily dependent on inland waterway transportation. The Upper Mississippi River Basin plan strives to achieve a balance between the needs of navigation, recreation and protection of fish and wildlife resources.

I would also like to take a moment to take note of a number of projects located in my district which are badly needed. One of these provides for cleanup of Sauk Lake at Sauk Centre in Stearns County, MN. The project would provide badly needed funding to determine the cause of pollution in the lake and to demonstrate measures which will effectively restore the lake to its original condition.

The bill also contains authorization for a flood control project in the northwestern corner of my State. The project would provide flood control benefits in my district and in Canada as well. This is a project that we and the Canadians have been trying to get underway for sometime. It has been fully studied and found to be justified. All that is needed is the green light which this bill provides.

Also contained in the bill is a provision that will allow the corps to take necessary measures to correct erosion problems along the banks of the Red Lake River, approximately 1½ miles west of Gentilly, MN, adequate to protect a nearby highway and bridge.

Although these projects may seem small in comparison to some of the port improvement projects and other large water resources developments initiatives, they are nonetheless vitally important to my constituents and I am pleased that they are included in the bill before us today.

Our water resources infrastructure is a crucial part of our Nation's transportation system. Despite its great importance to our economic well-being, we have allowed this system to fall into a state of disrepair. On the inland waterways, many canals, locks and dams are past the end of their design lives. Of the 194 locks in the inland waterway system, the average age is 40 years, and some locks are approaching 80 years of service. A graphic example of the urgency of this situation is the breakdown of lock and dam 26 on the Mississippi River which blocked inland waterway transportation in the late 1970's and the more recent collapse of a lock on the Welland Canal on the St. Lawrence Seaway.

Our Nation's ports must be dredged and improved so that they can accommodate ships handling over 100,000 tons of cargo and thus allow our exporters of energy resources and agricultural products to take advantage of the economics of scale offered by the use of large vessels. These supercolliers require port depths of 55 feet or more. The average depth of U.S. ports is generally only 45 feet. By contrast, major trading nations such as Japan, South Africa, Australia,

lia, and the Netherlands now have ports which can accommodate fully laden supercolliers.

While our water resources can be put to good use in providing efficient transportation networks, they can also pose major threats to life and property when unleashed by the forces of nature. Floods continue to ravage many parts of the Nation, as evidenced by the recent tropical storms Gloria and Juan. While we will never be able to harness Mother Nature, we have within our capacity the technology to implement cost-effective and environmentally sensitive flood control measures that could save hundreds of lives and prevent billions of dollars in property damage.

We are also beginning to realize just how finite our most precious natural resource, water, really is. In the West, people have lived with the scarcity of water for hundreds of years. Gradually, even in the East and Southeast, where water has been viewed as being limitless, we are experiencing drastic shortages that have forced communities into rationing. Our engineering capabilities need to be marshaled into a new program to insure that all of our citizens, in big cities and small, have adequate, safe, clean supplies of this life sustaining resource.

The bill before us today charts a bold yet deliberate program for ensuring efficient and effective development of our water resources. It is designed to upgrade our navigation system, both inland and coastal; to promote conservation and enhancement of environmental resources; and to afford protection from erosion and damaging flood waters. It represents not only a response to needs that have been building for a decade and a half but a long range investment in capital improvement infrastructure which will serve the Nation for generations to come.

The bill contains 16 titles which address various aspects of water resources use, development and policy.

Title I authorizes six deep draft ports to handle oceangoing traffic from the east, west and gulf coasts. These are the Nation's largest centers of international commerce which are in need of significant improvement in order to stay competitive with foreign ports. Title I also authorizes improvements at 29 general cargo ports. These projects are located not only along our three seacoasts but also in Hawaii and our insular possessions and along our fourth seacoast, the Great Lakes.

To help finance the costs of these improvements, title I provides for bold new cost-sharing requirements under which local sponsors would pay between 10 and 55 percent of the cost of project implementation.

In order to help these localities finance their share of project costs, the bill would authorize local sponsors to implement fair and reasonable user fees intended to shift the financial burden of port development to those that directly benefit from the project. In addition, title I would authorize a program of loan guarantees to assist the ports in finding the capital to help pay for

needed improvements. While I realize that cost-sharing requirements are generally disliked by those upon whom the new burden falls, I note that the provisions in our bill are generally not opposed by the ports that will be called upon to help pay. I believe this is not only because of the fairness of our plan, but also because of a growing realization in all segments of our maritime system that the current Federal budgetary realities will no longer permit a system of almost total Federal subsidy for harbor improvement projects. I am also convinced that the cost-sharing provisions of our bill, coupled with our programmatic refinements, will greatly enhance the entire project selection and development process, leading ultimately to greater economic efficiency and a revitalization of our port system.

Title II of the bill authorizes seven major inland waterway projects. Over the years we have developed a 25,000-mile network of inland waterways used primarily to transport bulk cargo by barge. It is one of the most efficient transportation systems this country is blessed with, and the seven projects authorized in our bill will help to ensure that the system remains efficient and viable.

The bill would require that one-third of the cost of construction for these projects come from the Inland Waterways Trust Fund. The fund was created in 1978 and consists of revenues derived from a tax on fuel used by inland waterway barge operators. Operation and maintenance of inland navigation projects would continue to be a Federal responsibility.

Title III authorizes construction of a number of new flood control projects and revises the cost-sharing requirements for such projects. In the past, non-Federal responsibility for local flood protection projects has been to provide lands, easements, rights-of-way, and relocations needed for project purposes. These costs vary from project to project. H.R. 6 would establish more uniform requirements. Local interests would provide 5 percent of project costs in cash during construction plus any real estate required for the project, subject to a limitation that in no event can the total non-Federal share be less than 25 percent nor more than 30 percent. For nonstructural projects, the non-Federal share would be fixed at 25 percent.

Title IV authorizes over 20 shoreline protection projects to prevent erosion problems, enhance recreation and provide opportunities for conservation of fish and wildlife.

Title V authorizes a variety of water conservation and development projects that do not fall neatly into any particular category. Included within this title are a number of fish and wildlife mitigation projects which will result in permanent protection of valuable fish and wildlife habitat.

Title VI authorizes the corps to undertake a number of studies, allowing the corps to apply its engineering expertise to finding solutions to water resources problems.

Title VII authorizes numerous modifications to existing Corps of Engineers projects to reflect changed circumstances.

Title VIII establishes a new program of Federal assistance, in the form of loans to local interests, for the rehabilitation, expansion and improvement of water supply facilities. This title represents an important new mission for the Army corps, allowing them to apply their expertise in the water resources development arena in order to provide adequate drinking water for our citizens. A total of \$800 million per year would be made available to the corps for 80 percent loans to be repaid over 50 years.

Title IX establishes new official names for a number of corps water resources project on project features.

Title X would deauthorize over 300 corps projects which have been reviewed and found to be no longer necessary. This represents approximately 30 percent of the current inventory of corps projects and a savings of approximately \$18 billion in current dollars.

Title XI contains a number of general provisions relating to the full range of corps programs and procedures. Included are requirements for improving the corps planning process, creation of a \$35 million per year environmental protection and mitigation fund, implementation of recommendations contained in the upper Mississippi master plan, and an expanded program of inventory and repair of publicly owned dams. Title II also contains a provision calling for establishment of a Great Lakes commodities board to develop strategies to improve the commercial capacity of the Great Lakes region.

One of the cornerstones of the bill is the creation of a new water resources policy board in title XII to coordinate water project activities of the Federal agencies, including the development of principles and standards to be used in Federal water project evaluation, planning and construction. The title also authorizes a program of 50 percent matching grants to the States for water planning and conservation activities to be funded at a level of \$20 million per year through fiscal year 1990.

Titles XIII and XIV provide new authority and direction to the Corps of Engineers with respect to certain bridges over navigable waters and with respect to certain fish and wildlife mitigation reports.

The last title in the bill, title XV, contains the tax-related provisions in the bill and was developed by the Ways and Means Committee. The title includes provisions for a new special tax on port use which was included by the Committee on Public Works and Transportation as part of our markup of H.R. 6. The new tax is intended to recover a portion of the Federal cost of operating and maintaining our Nation's port system. The tax is to be levied on cargo loaded or unloaded at ports which have been constructed, operated or maintained with Federal assistance. The new tax is to be collected from the shipper rather than carrier of the cargo and will be charged on an ad valorem basis at a rate of



4 cents per \$100 worth of cargo. Money collected is to be deposited in the Port Infrastructure Development and Improvement Trust Fund which is also provided for in title XV. The trust fund is to consist of the tax on port use and general revenue. Up to \$1 billion per year would be authorized to pay for Federal construction, operations and maintenance costs of our ports and harbors. Title XV also contains provisions to extend the existing inland waterways fuel tax to the newly opened Tennessee-Tombigbee Waterway.

Mr. Chairman, this is a comprehensive and well developed bill. It embodies not only years of effort by the Committee on Public Works and Transportation, but also suggestions and improvements made by the Committees on Ways and Means, Interior and Insular Affairs, and Merchant Marine and Fisheries. Furthermore, it is not just a water project bill. It provides for new directions in the way water resource development programs of the Federal Government are planned, how they are to be undertaken, and most importantly, how they are to be financed.

I am convinced that passage of this bill will not just be an idle gesture, as it unfortunately was last year. The administration has sent clear signals that they want to get moving with an expanded program for Federal water resources development. Furthermore, they have indicated the cost sharing requirements that they consider to be acceptable for such a program. Those requirements are embodied in a bill which has been reported out by the committee of principal jurisdiction in the Senate and hopefully will be sent to the floor in the other body in the next few weeks. While our bill is still some distance from the Senate bill we are close in some of the most important aspects of the two bills. I am absolutely convinced that if the Senate can act quickly, we can resolve what differences remain in conference.

Mr. Chairman, let me again commend all who have helped to develop this bill. This includes not only the leadership and members of our committee, but the other committees which have helped to develop this bill and all of the Members who have come to us with their suggestions.

Mr. Chairman, this is a good bill. It is a bill that can revitalize our water resources infrastructure and improve our commercial capabilities. It will provide jobs and protect environmental values. I urge all of my colleagues in joining me in supporting this long awaited, carefully crafted and much needed legislation.

Mr. Chairman, I yield my remaining time to the gentleman from Wisconsin [Mr. GUNDERSON].

The CHAIRMAN. The gentleman from Wisconsin [Mr. GUNDERSON] is recognized for 2 minutes.

Mr. GUNDERSON. Mr. Chairman, let me begin by saying that there has been a litany of thanks and praise to the chairman and the ranking member of this committee and their staff. That is justified. Anyone who looks at the work that they have put into this bill

over the last few years would understand that that praise is deserved.

But I would like to get up and call attention of my colleagues to the fact that this is a very special bill in particular for the people of the upper Mississippi River basin. When this legislation becomes law, we will make the commitment that the upper Mississippi River is not only a multiuse concept in terms of recreation, in terms of transportation and its environmental resources, but we are going to carry through on that pledge, and we are going to make sure that we do not only use the Federal Government's resources to improve navigation, which is certainly an important element, but likewise, we also make a similar commitment to improve the environmental habitat resource area, the recreational areas of that river as well.

In essence, what this bill, H.R. 6, includes for the Mississippi River is an implementation of the master plan. The master plan is that comprehensive study for the multiple, balanced development of the Mississippi River in the future. Over the next 10 years, it sets out a long, detailed, but very justified, balanced process in terms of providing the necessary tools to the Federal Government, to the States, to the associations, to do what is necessary to build on this river, improve the river and bring to the people of the upper Mississippi River basin, which is Minnesota, Iowa, Illinois, and Missouri, the type of balance, the type of river we have today and we want to preserve for the future.

Mr. STANGELAND. Mr. Chairman, is there any time remaining?

The CHAIRMAN. The gentleman from Minnesota [Mr. STANGELAND] has 30 seconds remaining.

Mr. STANGELAND. Mr. Chairman, let me in conclusion just say that it has been alluded to by my distinguished chairman, but I want to acknowledge the extensive work and the long hours and effort of staff on this piece of legislation, weekends, Sundays, 18 and 20 hours a day, and just acknowledge that the staff on both sides, the Democrat and Republican staff, have done a monumental job in assisting us in bringing this to the floor.

I wanted to acknowledge their efforts, and I yield back the balance of my time.

Mr. HOWARD. Mr. Chairman, I yield 2 minutes to a member of our committee, the gentleman from West Virginia [Mr. RAHALL].

Mr. RAHALL. Mr. Chairman, I rise in strong support of H.R. 6 and want to take this opportunity to commend the full committee chairman of the Committee on Public Works and Transportation, the gentleman from New Jersey [Mr. HOWARD]; the Subcommittee on Water Resources chairman, the gentleman from New Jersey

[Mr. ROE] for his diligent and persistent efforts in regard to this legislation; and the ranking minority members, the gentleman from Kentucky [Mr. SNYDER] and the gentleman from Minnesota [Mr. STANGELAND] for their valuable support in bringing this legislation to the floor today.

There is general acknowledgment of the need to update our Nation's water policy and to provide a comprehensive plan for the development of our water resources. We are doing that in this bill today which will enable our country to begin utilizing the water resources that we have effectively and efficiently.

H.R. 6 contains many, many valuable projects for people across this land. One particular area I want to pay attention to is the inland waterway project such as the Gallipolis locks and dams on the Ohio River, an outdated lock and dam project that is in critical need of improvement, and in order to move this Nation's most valuable energy resource: coal.

Also contained in this legislation is rehabilitation and replacement of Winfield Locks and Dam on the Kanawha River in West Virginia, the Monongahela River in Pennsylvania and West Virginia which have locks and dams 7 and 8 located there.

Also included in this legislation is dredging of many of our Nation's ocean ports which have long been in need of deeper channels. This legislation authorizes the construction of six deep draft projects, including one in Norfolk Harbor which is extremely important to the efficient and economical transportation of U.S. coal.

I am confident that these port-related provisions will enable the United States to become more competitive in the world market with respect to commodities such as coal.

Mr. Chairman, in addition to these port-dredging projects and our inland waterway improvement projects, there is also in this bill authorization for construction of a flood control project down in Logan County, WV, which is experiencing flooding right today.

Mr. LIGHTFOOT. Mr. Chairman, will the gentleman yield?

Mr. RAHALL. I will be glad to yield to the gentleman from Iowa.

Mr. LIGHTFOOT. Mr. Chairman, I rise in strong support of this measure.

Mr. RAHALL. Mr. Chairman, I conclude my comments by again commending those who have been so persistent in bringing this legislation to the floor, and today as we experience flooding in parts of the Eastern United States, including in West Virginia, there cannot be a more appropriate time for Congress to show that we are indeed sensitive to these needs, and we are indeed responding.

Mr. Chairman, as a member of the Committee on Public Works and

Transportation, I am pleased to be associated with the legislation we are considering today, H.R. 6, as reported, the Water Resources Conservation, Development and Infrastructure Improvement and Rehabilitation Act of 1985, which seeks to authorize critical projects dealing with port development, inland waterway lock and dam rehabilitation, flood control projects and municipal water supply systems.

No major authorization bill for new U.S. Army Corps of Engineers construction has been enacted since 1970, with legislation passed in 1974 and 1976 primarily authorizing advanced engineering and design of projects rather than new construction. The House last year twice passed a Public Works omnibus water projects bill but administration opposition and continued disagreement by the other body over cost sharing criteria prevented enactment of the legislation.

There is general acknowledgment of the need to update our Nation's water policy and to provide a comprehensive plan for the development of our water resources—H.R. 6 provides a plan which will enable the country to begin utilizing its water resources effectively and efficiently.

A crisis is developing with respect to this Nation's inland navigation infrastructure, particularly its lock and dam facilities. While most are in good condition, an increasing number are obsolete by modern standards or in an advanced state of deterioration. Many critical locks and dams, constructed over 50 years ago, are no longer adequate to accommodate larger barge tows and increased traffic. This has presented hazardous situations, time delay and increased costs. Our Nation requires a long-term modernization program that facilitates authorization and funding of critically deficient projects.

H.R. 6 contains only those inland waterway projects in vital need of replacement or rehabilitation, including the Winfield Locks and Dam on the Kanawha River in West Virginia. As the sponsor of this project in the committee, I am pleased that its improvement will provide for more efficient movement of steam and metallurgical coal from southern West Virginia to markets throughout the Nation.

Another project is the rehabilitation and construction of new locks at Gallipolis, on the Ohio River about 30 miles upstream from Huntington, WV. This is the premier locks and dam project in need of improvement. Also provided for by the bill are projects at locks and dams Nos. 7 and 8 on the Monongahela River in Pennsylvania and West Virginia.

H.R. 6 also seeks to improve many of our ocean ports which have long been in need of deeper channels. Title I authorizes the construction of six deep draft navigation projects, including

one at Norfolk Harbor which is extremely important to the efficient and economical exportation of U.S. coal. Cost-sharing would be required for 50 percent of the incremental construction and operation and maintenance costs associated with channel depths greater than 45 feet. The bill allows non-Federal interests to collect port or harbor dues from vessels, but only with respect to vessels which receive a direct benefit from the new construction.

I am confident that these port-related provisions will enable the United States to become more competitive in the world market with respect to commodities such as coal.

Title III of the bill authorizes the construction of flood control projects including one which I sponsored in subcommittee located along the Island Creek basin in Logan County, WV. Flooding in the Island Creek basin area has resulted in significant financial and personal loss over many years. Average annual damages in the basin are estimated to be \$11.8 million. The area has experienced significant flooding as recently as May 1984, when approximately \$4 million in damages occurred. The people of Logan County are deserving of the relief from persistent, destructive flooding which this project will provide.

Also included in H.R. 6 is approval for a low-interest Federal loan for a water supply improvement project in Huntington, WV. The bill, under title VIII, creates a program to combat the deterioration of the Nation's water supply infrastructure. In order to facilitate improvement, public and private water supply systems must have access to reasonable interest rates for the long-term capital needed for rehabilitation, expansion and improvement of water supply systems.

Title VIII establishes authority in the Secretary of the Army, acting through the Chief of Engineers, to make low-interest loans for water supply rehabilitation and conservation. Public and private water supply systems may apply for these loans if they meet certain requirements. However, a number of specific water supply projects which the committee has reviewed are listed in the legislation and they would automatically receive loan approval. One of these is a project for intake, pumping and distribution facilities for Huntington, WV. The estimated cost of the project is \$2.4 million.

Water service for Huntington is provided by the investor-owned Huntington Water Corp. which has served the city since 1887. The company is seeking to improve its raw intake and pumping facilities at its 24th Street treatment plant. The existing raw water intake facility consists of an intake structure on the bank of the Ohio River and a low service pump

building located near a flood wall. This intake structure skims water from the surface of the river with the result that great quantities of debris and industrial waste enter the treatment facility. Constructed in the early 1900's, deterioration is causing inefficiencies in the system. The improvement project would replace the existing raw intake and low service pump station with a single intake structure designed to draw water from a minimum depth of 15 feet below the river surface.

Mr. Chairman, I would like to reiterate my strong support for H.R. 6 and to encourage my colleagues to lend their support to this much needed water projects legislation.

Mr. HOWARD. Mr. Chairman, I understand I have 1 minute remaining, and I yield myself that time just to once again thank those who participated in the development of this bill to the greatest degree, certainly the gentleman from New Jersey [Mr. ROE], the gentleman from Kentucky [Mr. SNYDER], and the gentleman from Minnesota [Mr. STANGELAND] and the other members of our committee on both sides of the aisle and staff.

Also, I wish to thank the other committees that have a portion of this bill, the Committee on Ways and Means, the Committee on Interior and Insular Affairs, the Committee on Merchant Marine and Fisheries. It has been a long time coming, so it is very, very important to our Nation.

I look forward to a cooperative effort by all on tomorrow so that before the Sun goes down tomorrow, we will have this bill passed through the House of Representatives.

Mr. FIELDS. Mr. Chairman, I rise to express my strong and enthusiastic support of H.R. 6, the Water Resources Conservation, Development, and Infrastructure Improvement and Rehabilitation Act of 1985.

This bill, which is similar to a proposal passed overwhelmingly by the House twice last year, is the product of nearly 5 years of labor by the House Public Works and Transportation Committee. In particular, I would like to acknowledge the outstanding leadership of Chairman JAMES HOWARD, Chairman ROBERT ROE, Congressman GENE SNYDER, and Congressman ARLAN STANGELAND who, along with Congressman GLENN ANDERSON, are the authors of this excellent piece of legislation.

I compliment these distinguished gentlemen for their tireless efforts to develop a rational and comprehensive water policy for this Nation.

It has been 11 years since the Congress last enacted a water resources authorization bill and nearly 50 years since the last major revision of our Federal water policy laws.

During that time, we have witnessed the serious decline of our port system and the tragic suffering by individuals in hundreds



of communities who have been subjected to the ravages of persistent flooding.

Several of these communities are located in my congressional district and I am extremely pleased that this omnibus water resources development bill includes language to eliminate the flooding problems caused by the Upper White Oak Bayou.

Mr. Chairman, the people who live along the Upper White Oak Bayou in central and northwest Houston have made every effort at the local level to protect their homes and businesses from flooding. I believe the Federal Government must now assist these courageous Americans by providing this badly needed flood protection.

The flood control project authorized by H.R. 6 has been carefully studied by both the Army Corps of Engineers and the House Public Works and Transportation Committee.

The Upper White Oak Bayou flood control plan has been enthusiastically supported by all interested parties and has been given high nationwide priority by the Army Corps of Engineers. Upon completion, this project will provide \$1.50 worth of flood protection for every \$1 of Federal cost.

While I cannot speak for the dozens of other flood control projects contained in H.R. 6, the Federal investment called for in the Upper White Oak Bayou project is clearly justified. In evaluating this or any other project, one must weigh the benefits derived to our Nation from vital communities with thriving industry versus those which have suffered regional decay caused by persistent flooding which generates unemployment, saps our tax base, and impedes economic growth.

In fact, the Federal Government will end up saving millions of dollars by providing this flood protection rather than continue the endless cycle of rebuilding communities with Federal flood insurance money. In this way, we will not only provide these communities with long overdue flood relief but will simultaneously save precious Federal resources.

At the same time, it's important to note that this project will create new jobs. According to the Army Corps of Engineers, the implementation of this flood plan will provide jobs to more than 2,000 Houstonians.

Mr. Chairman, the Upper White Oak Bayou project is sound. It is an investment in our Nation's future. It will save taxpayer money. It will create jobs. And, it will provide flood relief to thousands of citizens who must now suffer from the personal and economic hardships of persistent flooding.

Mr. Chairman, in addition to the Upper White Oak Bayou project, I am extremely grateful that the Public Works and Transportation Committee has included the provisions of my bill to improve the operation and efficiency of the Houston Ship Channel.

Since coming to Congress in 1981, I've had the honor of representing this vital waterway which has grown to become one of our Nation's largest ports.

The Houston Ship Channel, which is a 40-foot-depth waterway, was officially opened to oceangoing vessels by President Woodrow Wilson on November 10, 1914.

Since that time, this waterway has acted as a magnet to dozens of companies who have invested more than \$15 billion in plants along both sides of the ship channel, which has become known as the "Fabulous Fifty Miles."

Today, the Houston Ship Channel is home for one of the largest petrochemical complexes in the entire world.

It has been estimated that \$1 of every \$3 in the Houston economy can be attributed to the ship channel. Directly and indirectly, the Port of Houston provides jobs and livelihoods for thousands of Houstonians.

In the State of Texas, the port provides positive economic benefits to some 160,000 of our citizens and over \$3 billion in tax revenues.

The purpose of the three provisions in H.R. 6 is to require that the Army Corps of Engineers maintain a 40-foot water level at the Barbours Cut Terminal, at the Bayport Ship Channel, and at the Greens Bayou tributary.

With the level of cargo increasing significantly over the years, the Port of Houston Authority has spent a considerable amount of money to dredge these tributaries in order to achieve a universal 40-foot water depth in the Houston Ship Channel.

Prior to this dredging, the water level of these three tributaries ranged from 12 to 36 feet.

Mr. Chairman, what the Port of Houston Authority is seeking is not any type of Federal reimbursement for its construction and dredging costs but simply that the Corps of Engineers maintain a 40-foot water depth at these three tributaries.

This maintenance responsibility is one that the corps has assumed throughout its history and it is fully consistent with its congressional mandate.

Mr. Chairman, I am pleased that these three provisions are included within this legislation and that the Corps of Engineers will in the future keep these valuable tributaries free of silt and debris.

The final section of my bill incorporated within H.R. 6 would allow the port authority to receive Federal reimbursement for the raising of a railroad bridge which the Coast Guard ruled was an obstruction to navigation over the Greens Bayou area.

While actual modifications have been completed, the port authority has made a strong and legitimate case for partial reimbursement for these repairs which became necessary because of severe land subsidence.

In the Houston metropolitan area, land subsidence has become a very serious problem and I do not believe the port authority should be penalized for this natural and uncontrolled occurrence due to Congress' inability to act in a timely fashion.

It is important to note that, with the passage of this provision, the port authority will simply be given the authorization or opportunity to seek partial redress for the

costs of their repairs and not actually receive reimbursement.

Mr. Chairman, in summary, I am extremely thankful to the support of my colleagues on the House Public Works and Transportation Committee, and I am convinced that, once enacted, H.R. 6 will go a long way toward solving many of the water problems facing this Nation.

I urge my colleagues to overwhelmingly approve this important legislation and I again compliment the authors of this bill for their tremendous contribution to the good of our society.

Mr. TRAFICANT. Mr. Speaker, I rise in very strong support of this legislation before us today, H.R. 3670, Water Resources Conservation, Development, and Infrastructure Improvement and Rehabilitation Act.

Let me first commend the chairman of the Water Resources Subcommittee of Public Works and Transportation, my good friend, BOB ROE, as well as the ranking minority member, ARLAN STANGELAND, for their leadership in bringing this legislation forward. America has waited decades for this legislation that will significantly shape the water policy of this Nation for years to come.

Not only does H.R. 3670 rightfully authorize a number of water resource projects and studies for potential water projects, it also provides for assistance to communities for construction, repair, and rehabilitation of water supply systems. Many of our small communities, such as Girard, Struthers, and Hubbard, in my congressional district of Ohio, are in desperate need of and repair for water and sewer systems. For the benefit of all citizens, I urge my colleagues to favorably approve H.R. 3670.

Mrs. LONG. Mr. Chairman, I rise in support of H.R. 3670, the Water Resources Conservation, Development, and Infrastructure Improvement and Rehabilitation Act of 1985. This bill authorizes funding for more than 300 Federal water projects, including port development, inland waterways, flood control projects, beach erosion, municipal water supply systems, and other water resources systems.

Funding for new projects slowed tremendously during the 1970's. Nine years have passed since this Congress last approved an omnibus water projects authorization bill. The neglect of badly needed energy and water development projects has resulted in the deterioration of the Nation's water resources infrastructure. This deterioration now poses a growing obstacle to sustained national economic recovery.

Mr. Chairman, this legislation is essential to my congressional district. The bill authorizes \$200,000,000 for flood control in the Atchafalaya Basin. The basin is vitally important to Louisiana as a relief valve for flooding by the Mississippi River in south Louisiana. Residents in this basin constantly face the threat of flooding of their homes and farmland. This bill provides much-needed security to property owners in the region.

The bill also authorizes \$10,500,000 for mitigation of fish and wildlife losses at the Red River Waterway. These funds will help to repair the damage to the environment which occurs during project construction.

The Atchafalaya Basin and the Red River Waterway are just two of the projects in this bill which would greatly benefit Louisiana. In addition, the bill authorizes the construction of a deep draft port in the Mississippi River Ship Channel, further facilitating the free movement of commerce through Louisiana.

Finally, I want to commend the chairman of the Subcommittee on Water Resources, the gentleman from New Jersey [Mr. ROE] and the subcommittee's ranking minority member, the gentleman from Minnesota [Mr. STANGELAND], for their hard work on this fine piece of legislation. In addition the chairman of the Committee on Public Works, the gentleman from New Jersey [Mr. HOWARD], and the ranking minority member of the full committee, the gentleman from Kentucky [Mr. SNYDER] deserve the thanks and appreciation of this House. These four individuals and their staffs worked countless hours to develop this landmark legislation.

Mr. Chairman, H.R. 3670 will provide employment to millions of Americans. I strongly urge my colleagues to support it.

Mr. MILLER of Ohio, Mr. Chairman, I rise in support of this important legislation and, at the same time, I want to commend the leadership of the House Public Works and Transportation Committee for responding to the water resources needs of this Nation. Consideration of this bill marks the third time in the past 2 years, I believe, that the House has acted on legislation authorizing projects vital to the Nation's inland waterways, our ports, erosion, and flood control.

A comprehensive, omnibus water development bill has not been enacted into law since 1970—15 long years. Over the past several years, we've seen a variety of patchwork legislative procedures and proposals that address water resource problems by bits and pieces. While such an approach has had its benefits, I submit that such an approach is not the way to legislate something as important as the fate and future of America's water resources policy.

There are three key elements in this bill before us—H.R. 6—that I want to underscore. First, the measure includes the authorization of Gallipolis—the most critical navigational project on the entire reach of the Ohio River. The bill calls for the construction of a new 1,200-foot locking channel at Gallipolis, and it also allows for the rehabilitation of the existing dam at the same site. Those who recognize the importance of cost-effective, safe and certain river transportation will agree that Gallipolis is—very simply—a navigational minefield. Opened in 1937, the outdated, overworked, hazardous facility sits on river bend and forces massive traffic delays up and down the Ohio River that add up to costly fees and consumer costs. The present Gallipolis compound has the highest accident rate on the Ohio River and it is the

only locking complex from the Pennsylvania border to the Gulf of Mexico with a 600-foot main chamber. It demands the attention of all those concerned about the economic development and welfare of the Ohio Valley. The bill before us states that a new Gallipolis will be built with up to one-third of the funding coming from the Inland Waterways Trust Fund.

And that's my second point for supporting this particular measure, the trust fund was established to respond to the needs of inland water traffic. It's simply a fair case of the barge industry contributing to the movement of their vessels. The fund is currently being supported by a 10-cents-per-gallon tax and I would support an increase in that fuel tax if it led to the benefits expected of the fund in the first place. Namely, getting construction underway. The fund has assembled nearly \$200 million and, to the best of my knowledge, not one cent has been appropriated from the fund for one project on any eligible river, anywhere. Congress must act first. That's why we are here today and that's what we must do. The proposed new Gallipolis, under study for over a decade, has a benefit-cost ratio of 12 to 1. Conversely, the costs—environmentally, economically, and navigationally—for ignoring our responsibility to Gallipolis would be monumental.

Nearly 41 million tons of coal, coke, agricultural products, and chemicals are shuffled through Gallipolis annually. Keep in mind: the complex is already exhausted. The projected bulk cargo growth by the year 1990 is 65 million tons. Gallipolis is being pushed to its limits and it has only been by the technical expertise and engineering ingenuity of the U.S. Army Corps of Engineers office in Huntington, WV, that the old channel remains operational and the locks function properly despite the odds against their doing so.

There is a third element of this particular bill that appeals to me and should be the priority aspect of the legislation for any budget-conscious Member in this House: the bill deauthorizes—takes out of previously planned construction—310 projects at an estimated completion cost of over \$11 billion. How often do we have the opportunity in this Chamber to vote for a bill which, in essence, decommissions spending of that magnitude?

The bill offers us the best of what we want and what this Nation needs: a chance to press forth with critical water resources projects and programs and, at the very same time, a chance to enact responsible cost-sharing while saving \$11 billion bucks.

The measure has my support, in full measure.

Mr. LUNDINE, Mr. Chairman, I rise in strong support of H.R. 6, the Water Resources Conservation, Development, and Infrastructure Improvement and Rehabilitation Act of 1985. I commend the House Public Works and Transportation Committee, and especially the Water Resources Subcommittee for putting together this piece of legislation which will directly benefit so many of our communities over the next decade.

I would like to remind my colleagues that a President has not signed a water resources development bill into law since 1976. I am confident that this bill will become law because it includes the increase in the non-Federal share of the cost of new Army Corps of Engineers flood control and navigation project which the administration insisted upon. Furthermore, the bill is reasonable in terms of the cost of the projects it authorizes, and will provide for the construction and upkeep of vital water projects across the Nation.

I am especially pleased that this bill authorizes funds for the city of Dunkirk, NY, southwest of Buffalo on the shores of Lake Erie, which is undertaking a major harbor revitalization plan. The Dunkirk Harborfront Development Program is expected to create over 375 new permanent jobs, increase tax and other revenues to the city, and in the long run, attract needed economic development to this severely depressed region of the State.

One of the most important aspects of this development program, is the city's plan to build a 500-boat marina. Before this marina can be constructed by private enterprise, however, the city must dredge the area at an estimated cost of \$2.3 million. Present waterdepth in that locale runs from 1 to 3 feet and must be dredged at least 10 feet. The funding authorized in this bill will cover the costs that the city incurs for this needed dredging.

The city of Dunkirk's efforts to improve its economy through the development of its harbor are to be commended and are worthy of our support. I urge my colleagues to join me in supporting this effort, and similar projects all over the country by voting for this long-awaited water resource development legislation. Once again, I commend the chairman and his committee for their work on this legislation and urge its passage.

Mr. HOWARD, Mr. Chairman, I yield back the balance of my time, and I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. WEAVER] having assumed the chair, Mr. BOUCHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6) to provide for the conservation and development of water and related resources and the improvement and rehabilitation of the Nation's water resources infrastructure, had come to no resolution thereon.

□ 1530

#### GENERAL LEAVE

Mr. HOWARD, Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on



H.R. 6, the bill just under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

#### CHADRON STATE PARK

(Mrs. SMITH of Nebraska asked and was given permission to address the House for 1 minute, and to revise and extend her remarks, and include extraneous matter.)

Mrs. SMITH of Nebraska. Mr. Speaker, I rise today to introduce legislation to transfer approximately 160 acres of Federal land within the Nebraska National Forest to the State of Nebraska. This land will be used by the Nebraska Game and Parks Commission to add camping facilities and nature trails to the Chadron State Park.

Although more than 200,000 people visit the Chadron State Park each year, the park has no camping facilities and no land suitable for campground development. Park visitors must camp near the park entrance.

Transferring this Federal land to the State of Nebraska will greatly enhance public use of the park. We simply have no other alternative for developing camping facilities at the park.

All improvements to the land—camping facilities, hiking trails, and horseback trails—would be provided by the State of Nebraska.

The bill protects the Federal Government's rights to oil, gas, and other subsurface interests. In addition, the bill provides that if the Nebraska Game and Parks Commission does not use the land as a part of Chadron State Park, the land will revert in the Federal Government.

I ask for the support of my colleagues on this bill, and I submit the bill for printing in the RECORD, as follows:

#### H.R. 3686

A bill to direct the Secretary of Agriculture to convey, without consideration, to the State of Nebraska certain land to be used for the purposes of expanding the Chadron State Park, Nebraska

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. CONVEYANCE OF LAND TO NEBRASKA GAME AND PARKS COMMISSION.

(a) CONVEYANCE.—Not later than the 180 days after the date of the enactment of this Act and subject to the provisions of subsection (b), the Secretary of Agriculture shall convey, without consideration, to the State of Nebraska all right, title, and interest of the United States in and to the real property described in subsection (c), to be used by the Nebraska Game and Parks Commission as part of the Chadron State Park, Nebraska.

(b) LIMITATIONS ON CONVEYANCE.—(1) The Secretary of Agriculture shall reserve for the United States any interest of the United States in the subsurface estate of the real

property described in subsection (c), including oil and gas rights.

(2) Title to the real property conveyed under subsection (a) shall revert in the United States upon failure of the Nebraska Game and Parks Commission to use such property as part of the Chadron State Park, Nebraska.

(c) LAND DESCRIPTION.—The real property referred to in subsection (a) consists of approximately 160 acres within the Nebraska National Forest, more particularly described as the east half of the southwest quarter, the west half of the southeast quarter, and that part of the southeast quarter of the southeast quarter lying west of State Highway 385, of Section 25, Township 32 North, Range 49 West, 5th Principle Meridian, Dawes County, Nebraska.

#### CONGRESS SHOULD REVIEW EFFECTS OF AT&T DIVESTITURE BEFORE ALLOWING BYPASS

(Mr. BONER of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BONER of Tennessee. Mr. Speaker, with the break-up of the AT&T telephone system, many of us here in the Congress correctly anticipated the confusion and increased expense that many of our constituents would face in the newly created and competitive telecommunications environment.

Unfortunately, the Federal Communications Commission is adding to the confusion and increased expense. Last week the Commission approved a rate tariff proposal from the American Telephone and Telegraph Co. that would allow the telephones system's largest users to bypass local Bell operating companies, thus shifting the cost of local service increasingly to residential and small business users.

In my home State of Tennessee, the local telephone operating company estimates that bypass could increase cost of residential telephone service by \$4 a month and the cost of business service by \$9 a month. Bypass puts at risk in Tennessee more than \$83.6 million collected in connect fees from long distance telephone companies. Of the five States in the local operating company's service area, Tennessee is the most vulnerable. Thirty-two of the 50 largest long-distance users are located in Tennessee. Yet no area of the country is immune from the effect of bypass and, before bypass proceeds further, we must understand the effects of bypass on the cost and quality of residential service.

Bypass of the local Bell operating companies was an issue anticipated with the divestiture of AT&T. In fact, the House passed legislation in the 98th Congress that proposed a cost-sharing formula among all users of the telephone system, even among those who bypassed local Bell operating companies. Unfortunately, that measure failed of passage in the other

body. Nonetheless, the need to evaluate the consequence of bypass has never been greater than it is today.

No one disagrees with the objective of ensuring affordable residential and business telephone service. That objective, however, is jeopardized with the haphazard decisions that the Federal Communications Commission has made or, as indicated in recent news reports on the AT&T rate filing, is planning to make.

As such, I am introducing legislation that would postpone the FCC's decision on bypass for 2 years until Congress has had the opportunity to review the consequences of divestiture and, in particular, the factors encouraging bypass of the local Bell operating companies.

Affordable telephone service must continue to be our goal. Clearly, competition following divestiture has lowered the cost of long distance telephone service. Unfortunately, the consequence of divestiture on local service has only increased costs. Congress must be afforded time to evaluate these mixed results.

#### THE 20TH ANNIVERSARY OF THE NATIONAL ENDOWMENT FOR THE HUMANITIES

(Mr. YATES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YATES. Mr. Speaker, 1985 marks the 20th anniversary of the establishment of the National Endowment for the Humanities. While we are at this milestone, it is appropriate to pause to celebrate the achievements of the Endowment and to reassert our commitment to its promotion of progress and scholarship in the Humanities. As a symbol of our support for the Endowment, it is appropriate to establish the week of February 9-15, 1986, as National Humanities Week.

In the National Foundation on the Arts and the Humanities Act of 1965, the Congress found, in its Declaration of Purpose, that "support of national progress and scholarship in the humanities \* \* \* is \* \* \* an appropriate matter of concern to the Federal Government"; that "democracy demands wisdom and vision in its citizens and \* \* \* must therefore \* \* \* support a form of education designed to make men masters of their technology \* \* \*"; that "it is necessary and appropriate for the Federal Government to complement, assist, and add to programs for the advancement of the humanities \* \* \* by local, State, and regional, and private agencies and their organizations"; that "the study of the humanities requires constant dedication and devotion and that \* \* \* it is necessary and appropriate for the Federal Government to help create and sustain not only a climate of encouraging freedom of thought, imagi-

nation, and inquiry, but also the material conditions facilitating the release of this creative talent"; and that "the world leadership which has come to the United States \* \* \* must be solidly founded upon worldwide respect and admiration for the Nation's high qualities as leader in the realm of the ideas and of the spirit."

Congress expected much from the Endowment and its accomplishments have matched these expectations. The Endowment has been creative in carrying out its mission and it has been stimulative.

Through the concept and mechanism of the Challenge Grants, the Endowment has generated substantial non-Federal support for the humanities. In return for \$180,000,000 in Federal Challenge funds invested in them between 1977, when the program began, and 1985, Challenge Grant recipients will have raised about \$542,000,000 in new or increased giving from non-Federal sources. This exceeds the minimal amount required by the 3:1 matching provision of the grants.

The National Endowment for the Humanities has established new programs as needs have been identified. In 1969, a program was established to assist in the design and implementation of quality humanities programs for the out-of-school public. One example is the "Let's Talk About It: Reading and Discussion Programs in America's Libraries". "Let's Talk About It" is a vital nationwide project which brings together book lovers and scholars to explore themes of contemporary life and culture through a mix of classic and popular literature in some 300 American public libraries in 30 States. More than 1,500,000 will be involved in the program over 3 years.

A democratic society requires citizens who are capable of making disciplined and discriminating judgments. The study of the humanities contributes to the ability to make reasoned decisions—to criticize and interpret the acts, words, and artifacts of human culture. To meet these needs in 1971, the State programs were established to ensure that a broad variety of humanities programs reached the citizens in each State. This in turn has stimulated each of the States to develop their own State humanities councils.

More recently, the Endowment has developed programs to strengthen humanities instruction at the precollegiate level. The most notable example of this effort is the highly successful summer seminars for secondary school teachers. The Endowment has also been in the forefront of the effort to celebrate the bicentennial of the Constitution. Over 160 grants have been awarded to encourage scholarly interest in and public reflection on the principles and foundations of our constitutional government.

The Endowment is to be commended for its leadership, its creativity, its responsiveness to changing needs, and for its ability to generate private interest and financial support. We applaud its ability to bring out the best in our culture and history.

We now celebrate 20 years of sustained effort by the Endowment and we must

commit ourselves to sustain the traditions begun by this important Federal agency. Mr. Speaker, recognizing February 9-15, 1986, as National Humanities Week is the appropriate way to begin.

#### DOD CONFERENCE REPORT— RAY TEXTILE AMENDMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. RAY] is recognized for 5 minutes.

Mr. RAY. Mr. Speaker, this year I offered an amendment to the Department of Defense authorization bill which directs the Secretary of Defense to report to the Congress each year on the state of the textile and apparel industrial base in this country. I was pleased that this amendment was accepted by the conferees, and I would like to take a few moments to tell you why I believe this amendment is important.

It is jokingly said that "we cannot have our soldiers fighting in Japanese uniforms and sleeping in Chinese tents," Mr. Speaker, but I think there is a nugget of truth in this statement. If our Nation is going to be assured of military readiness, we have to know that our textile industrial base can mobilize to meet our needs—from parachutes to uniforms, from chemical warfare garb to coverings and casings.

This report to be prepared by the Department of Defense will address these concerns. The report prepared by the Department of Defense will provide crucial information for all Representatives to consider when they are making their decisions or their votes on readiness issues.

My amendment was drafted loosely to allow for the broadest amount of information to be included. Research into all aspects of the textile and apparel industrial base will be conducted, including the manufacturers' ability to meet initial mobilization requirements with domestic materials, to obtain necessary machinery for production through domestic sources, and to answer specific, specialized orders of the various services for strategic and tactical operations.

I feel certain that the report which will be produced because of this amendment will be a valued tool to be used by all Members in their consideration of our Nation's military readiness.

#### THE ABSURDITY OF GRAMM- RUDMAN PROCESS: SEQUESTERING FUNDS FOR REVENUE RAISING AGENCIES COSTS MUCH MORE THAN IT SAVES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. STARK] is recognized for 5 minutes.

Mr. STARK. Mr. Speaker, in the conference committee on Gramm-Rudman we have been trying to turn the sow's ear of sequestering into a silk purse. We have washed the mud off, we have trimmed the hog hairs, but it still smells and looks like a pig's ear.

It is full of illogicals.

If we fail to reach our deficit reduction goal and sequestering comes into force, revenue raising agencies like the IRS and Customs would find their budgets cut.

It is a proven fact that cutting those agencies cuts revenues by much more than the amount saved in reducing the agencies.

The IRS returns \$20 for every one spent on compliance programs. The Collections Division returns \$25 for every dollar spent on it. Customs applies its manpower to programs which return \$27 to \$1.

Therefore, sequestering a dollar from either agency costs \$20 to \$27 in revenues.

That increases the deficit, which means we need to sequester even more in the future.

It is like a dog chasing its tail into exhaustion. In this case, the tail tastes like a pig's ear.

I supported the House passed version of Gramm-Rudman because it forces tougher congressional action on the deficits than does the original version. But as the above example shows, when it comes to sequestering we have a long, long ways to go before we have a mechanism that makes any sense at all.

#### BOB HUTTENHOFF, A GREAT NEWSPAPERMAN AND CITIZEN, RETIRES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. PANETTA] is recognized for 5 minutes.

Mr. PANETTA. Mr. Speaker, I want to bring to the attention of my colleagues the retirement of Bob Huttenhoff, the publisher and president of the Salinas Californian. A reception will be held to honor Bob for his contributions to the community and for his achievements during a 40-year newspaper career on November 14. While I will not be able to be present due to my responsibilities here, I know my colleagues will want to join me in extending congratulations and best wishes to him on this most important occasion. Bob has been a great friend to me, and he has helped to make the Californian one of the finest newspapers in California and one of the finest newspapers serving a medium-sized city in the entire Nation. The key is that the Californian cares about the community it serves—and it shows.

Bob Huttenhoff was born in 1920 into a newspaper family and was a newspaper carrier through high school. He worked his way through the University of Kansas as a stereotype/pressman. After serving during World War II, he began his career in newspapers, working on six daily newspapers in the Midwest and southern California.

Bob joined the Salinas Californian as a display salesman in 1950. He was soon named retail advertising manager, and was then promoted to advertising director. In 1972, Bob became the publisher and president of the Californian. He retired as publisher last year, and he will retire as president on December 1 of this year.



In his years with the Californian, Bob led the newspaper from being a hot metal newspaper to electronic photo composition and complete computerization of the business office. He then converted the paper to direct lithography printing. Most recently, he has planned a major remodeling of the Californian building to house a new state-of-the-art 10-unit offset press to go on line in 1986.

In addition to his contributions to the Salinas community through his work at the Californian, Bob has been extremely active in a number of community activities. He has served as president of the Salinas Kiwanis, the Fort Ord Chapter Association of the U.S. Army, and Salinas Community Priorities, Inc. He has also been a board member of the Salinas Chamber of Commerce, the Jaycees, Sunrise Toastmasters, and Palma High School. Bob was a founding director and vice chairman of the Economic Development Corp. of Monterey County. In addition, he serves as a member of the Salinas Rotary, the Salinas Elks Lodge, Knights of Columbus, and the Commonwealth Club of San Francisco. He is also an advisory director of the California Rodeo.

In the newspaper industry, Bob has served as president of the California Newspaper Advertising Executives Association and has served on the board of the California Publishers Association.

Bob and his wife Patricia have been married since 1947. They have three children and one granddaughter.

Mr. Speaker, I am certain that Bob's family is proud of his distinguished career and looks forward to spending more time with him following his retirement. My colleagues and I congratulate him and wish him and his family the best of luck in the future.

#### THE BUDGET-CUTTING "ROBOT" LACKS SENSITIVITY TO HUMAN NEEDS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. BUSTAMANTE] is recognized for 5 minutes.

Mr. BUSTAMANTE. Mr. Speaker, in our attempt to balance the budget, we have created a budget-cutting robot which plods along on its deficit-reduction course without looking at what is in its way. It is incapable of following the road of social responsibility we have built over the years, incapable of expressing human sensitivity for the poor and needy it might be trodding on, incapable of setting the course for the future well-being of the country. It merely travels along the path we program it for, slashing as it goes.

The recent budget-cutting alternatives do not provide an ideal solution to the problem of balancing the budget. The alternative we select must respond to economic conditions and to the needs of children, the elderly, and the poor. The programs that serve those in need are already emaciated and cannot bear the load.

Over the past 5 years, programs which serve poor families and children have suffered more than \$10 billion a year in budget cuts. Programs such as low income food and nutrition programs, Medicaid, and Job Corps, have been seriously affected by the recent funding diet they have been subjected to.

When people are not provided with the resources they need, they take drastic measures. I am submitting a newspaper article given to me by one of my constituents. The article recounts the tale of a desperate man who could not provide proper care for his mentally retarded son. The man abandoned his 20-year-old son who was prone to violent attacks, rather than become violent himself. He had been trying for 2 years to place his son in a State school. This man had the compassion to save his son and himself.

The time to develop the mechanism to deal with the budget deficit is now. But creating a mechanical device which automatically imposes cuts without any kind of priority is not the answer.

The legislation before us is not a warm body to cuddle up to, but it is not the cold, hard robot either. The circumstances of political reality compel us to embrace it. It will, at least, follow the course of social responsibility, to look down the road of economic stability, and to watch out for the others traveling down that road.

SAN ANTONIO, TX, 78250

October 29, 1985.

HON. ALBERT G. BUSTAMANTE,  
Longworth House Office Building,  
Washington, DC.

DEAR REPRESENTATIVE BUSTAMANTE: I have written many letters to you on a variety of subjects, but this one really comes from the heart because it is based on my personal experience in raising my autistic son, Christopher.

The enclosed newspaper article appeared a few days ago and describes a terrible situation. What makes the situation terrible is not so much that the father felt he had to abandon the care of his retarded son, but that the State of Texas does not have the mental health resources to take proper care of its own citizens who are mentally afflicted. It is absolutely disgraceful that parents or a parent faced with the painful decision to institutionalize a child should be told to "take a number and wait 2-4 years" for an opening in a mental health facility.

I know what this man has gone through. I wish my son Chris had a limb missing rather than have mental retardation. It is all my wife and I together can do to keep him under control at home. His behavior is so erratic and self-destructive that recently my only other child, 6 year old Stephen, told me he wishes he had another brother. But this poor man, Mr. Clark, has suffered like no human being should have to.

I write you, Congressman, because frankly, I have no confidence that the State Legislature or the Governor will ever come to grips with the problem of housing the mentally ill and deficient in appropriate settings. Because to do the job right, it will take an increase in State funding, which means an increase in taxes, and Texans consistently have proven they would rather avoid collective responsibilities than raise their taxes, or anyone else's. I appeal to you because I am convinced it will take leader-

ship above the State level to make the majority of Texans see their responsibility towards persons like my boy Chris, and to others in our State who through no fault of their own cannot adequately care for themselves or their children.

To Governor White's credit, he is forcing Texas into the 20th Century academically with H.B. 72 and its no pass no play rule. I believe the same emphasis is needed in the area of caring for the mentally deficient and ill and for all others who cry out for help. Size and population will not by themselves make Texas a great state and a national leader among states. It takes a sense of social responsibility as well.

Yours truly,

PAUL S. KENDALL.

[From the San Antonio (TX) Light]

#### DAD LEAVES SON; HAS NO REGRETS

IRVING.—A man who abandoned his 20-year-old retarded son in front of the Fort Worth State School said he does not regret his decision.

William Clark said he had been caring for his severely retarded, violence-prone son without help for four years. Last week, he said he gave up after getting so mad he wanted to shoot his son.

Instead, he took him to the school. "I just got to the point where prison looked good to me—or the electric chair—compared to what I've been living through," Clark said.

Clark said his son has destroyed furniture and broken windows in his trailer home and attacked him.

A state school spokeswoman said John David Clark, who has a man's body but the mental capacity of a 3-year-old, qualifies for 24-hour care. Clark may not be forced to reclaim his son from the school, which has a two- to four-year waiting list.

"It's very stressful," said spokeswoman Barbara Edwards, adding no one was to blame.

She said the state school, operated by the Texas Mental Health Mental Retardation Department, will admit the younger Clark on an emergency basis until an investigation is completed.

The Department of Human Resources will conduct a routine check of the circumstances by which the man was abandoned at the facility on Wednesday, said Mel Hughes, school superintendent.

Edwards said the man was put on the school's waiting list and counselling and care was provided in May 1984.

William Clark said that was when he realized he was incapable of handling his son and "begged and pleaded" with school officials to take him in.

"He's been a problem for several years," said Clark, 55 who became the young man's sole caretaker about four years ago.

Clark and his wife divorced when the youth was 4. Although his ex-wife helped care for the couple's seven children, that arrangement collapsed four years ago when she became ill and eventually wound up in a nursing home.

#### THE CHAUFFEUR LIMITATION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. HAMILTON] is recognized for 5 minutes.

Mr. HAMILTON. Mr. Speaker, a recent GAO report determined that, between Janu-

ary and June 1985, 79 administration officials were illegally transported in chauffeured Government motor vehicles between their residences and places of employment. Today, I am introducing a bill to end these abuses and curtail the number of authorized cars.

My bill, which is identical to one being introduced by Senator PROXMIRE, limits the total number of officials in each branch of the Federal Government entitled to chauffeured home-to-work transportation. The number of chauffeured officials in the executive branch would drop from 40 to 28; Congress' cars would be cut from 21 to 14; and the judiciary would keep its single authorized car.

Administration: The President, the Vice President, and the 13 Cabinet agency heads would continue to receive a chauffeured vehicle. The President could designate up to 13 additional executive branch employees for home-to-work service. Those employees would have to be listed in the President's annual budget.

Congress: The Speaker, the President pro tem, and the majority and minority leaders of the House and Senate would receive chauffeured service. The majority and minority whips of the House and Senate would continue to receive leased cars. Four other cars would be available during the day for official business only. No drivers would be provided. The majority and minority side of the House and Senate would each be assigned one car.

Judiciary: The Chief Justice would continue to receive chauffeured service.

Under the bill, any Federal official who uses or authorizes improper chauffeured service will be suspended without pay for at least 3 days and must reimburse the Government for all expenses. These penalties should curtail the widespread abuses we are now witnessing.

With Federal deficits exceeding \$200 billion, it is wrong to spend an estimated \$35,000 per car to shuttle Government officials between their homes and their offices. These chauffeur-driven cars are a luxury we cannot afford. I urge prompt and affirmative action on this bill.

#### A SALUTE TO THE STATUE OF LIBERTY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ANNUNZIO] is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, I rise to call to the attention of my colleagues the kickoff event for the "Centennial Year of Liberty" which took place on Monday evening, October 28, 1985, at the Kennedy Center. Lee A. Iacocca, chairman, the Statue of Liberty-Ellis Island Foundation, Inc., and chairman and chief executive officer, Chrysler Corp., graciously welcomed and personally thanked the many individuals and corporations who contributed toward restoring "that beautiful lady."

The invited guests were privileged to attend the world premiere of "The Lady

Remembers," a work written and created by one of America's top composers, Richard Adler, who attempted to reflect the drama of the immigrants' experience. With the Detroit Symphony and vocalist Julia Migenes Johnson performing this new musical tribute, the Statue of Liberty's 99th birthday was celebrated, beginning what will be a year-long celebration.

Americans who are descendants of immigrant parents or grandparents share an important bond of friendship, and a very special feeling for that "lady" in New York. Lee Iacocca, who understands that kinship so well, delivered thoughtful remarks which I believe capture the true spirit of what it means to many of us to help restore and remember the Statue of Liberty and Ellis Island.

Mr. Iacocca's remarks, which I would like to share with my colleagues, follow:

Good evening to all of you.

I've been privileged for the past 3½ years to be involved in restoring two of our nation's most valuable treasures—the Statue of Liberty and Ellis Island. And it's been a labor of love, believe me.

A year from today, the Lady with the Torch will be rededicated on her hundredth birthday, and tonight we begin the celebration of her centennial year.

All this is possible because millions of Americans have contributed more than \$170 million so far to keep the torch lit. You've been invited tonight so we could thank you for your generous support.

And we're going to thank you with the world premiere of Richard Adler's "The Lady Remembers," performed by the Detroit Symphony Orchestra, under the direction of Gunter Herbig, with soloist Julia Migenes Johnson.

You know, the last couple of years lots of school kids have been sending me their nickels and dimes for the Lady. Some even send me their lunch money, or a few bucks from selling cupcakes or washing cars. And a man once dropped into my office and gave me a million dollars to help shine her up. (As he said—"Just a simple tribute to my immigrant mother.") It seems like everybody feels they owe the lady something.

And Richard Adler is one of those people. Richard Adler wasn't commissioned to write this piece. He wasn't asked to do it. He simply called one day and said: "I want to do it. I need to do it. Just let me do it."

So we let him do it.

It's quite a gift he's giving us, and giving America, tonight. So, please join me in expressing our thanks to Richard Adler.

When President Reagan asked me to join this effort, we agreed that not a cent of public money would be used. And none has. But we've enjoyed the support of our government, especially of the National Park Service.

I would now like to introduce the Honorable Donald P. Hodel, Secretary of the Interior.

Thank you, Secretary Hodel.

And now we are about to honor a very, very special lady.

She's a lady who has stood tall and strong at the doorstep of our country for nearly a hundred years. She has stood with a beacon raised to guide the lost, with an arm outstretched to welcome the homeless, and with a tablet proclaiming her promise of liberty.

We not only honor that lady tonight, but also the millions who saw her beacon and

reached out for her welcome—because they believed her promise.

And we honor what they did to keep her promise alive, and to pass it along to all of us.

Exactly 99 years ago today, a beautiful lady dressed in 200 tons of copper and iron stood staring through the mist in New York harbor, a little like a blushing bride. Quite a fuss was made over her that day. Cannons roared, brass bands played, all the ships in the harbor blew their whistles and rang their bells.

She was that day a young symbol of an old but elusive dream—the simple ideal of "liberty." Tonight, 99 years later but forever young, she stands not only for that original ideal itself, but also as a symbol of what free people, guided and protected by that ideal, can achieve.

For as soon as the cannons and the bands were silent, she began to see the ships slipping into the harbor with the first of the millions of immigrants she would welcome to America.

Tonight she remembers those ships coming from Bremen and Liverpool and Naples, and the cargo they brought. Human beings seeking refuge and opportunity beneath her torch.

They all stood on deck in their best clothes, clutching the kids, and maybe an old cardboard suitcase with a rope around it. It was the biggest day of their lives.

And as the ships went by her on their way to Ellis Island, a lot of backs, bent by oppression, began to straighten. And a lot of faces, scarred by tyranny, were suddenly smiling. And a lot of eyes, dimmed by despair, began to glow with hope.

She saw all that, and she remembers it well tonight.

She remembers, too, what happened to them after they passed beyond her gaze.

She kept her promise of liberty, but it wasn't the liberty of streets paved with gold. It was the liberty of the shovel, the freedom of the pushcart, and the dignity of the plow.

It was the freedom to work hard, and to keep what that hard work built.

They were ambitious in a time when ambition was not a dirty word.

They were hardworking in a time when hard work was not something to be avoided.

They were builders.

They built a country.

And what they built was the America we have today—imperfect, but better by far than anything anybody else has ever built, anywhere.

The Lady remembers how they did it, and so should we.

They did it with pain, and sweat and tears.

You know, America isn't great because of its natural resources. It's great because those people dug into the ground, often under terrible conditions, and took the resources out.

America isn't great because of miles of open prairies. It's great because people broke their backs to bust the sod and grow food.

America isn't great because of a few industrial geniuses. It's great because of the thousands of others who fired the furnaces and forged the metal.

And America isn't great because of a piece of paper called a Constitution. It's great because people fought, and bled, and sometimes died to fulfill its promise of a just and humane society.

So, the Lady remembers, if sometimes we forget. She remembers who we are and where we came from.



We're all her children, whether she saw our people arrive on those ships from Europe, or whether they came on the Mayflower, or from Africa in chains, or from the Far East or Latin America.

She is a special Lady to all of us, and we honor her tonight because she remembers, and because she helps all of us remember, just what kind of people we are.

Thank you.

#### DEMOCRACY IN GUATEMALA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. FASCELL] is recognized for 10 minutes.

Mr. FASCELL. Mr. Speaker, the events of last Sunday in Guatemala are potentially the most significant in that country's history over the last several decades. After years of military rule, Guatemala on Sunday held what is widely recognized as free, fair, and open elections for President and for legislative and municipal officials. A runoff between the two top candidates for President will take place on December 8.

Guatemala has gone through a torturous and painful period. The absence of respect for basic human rights was so blatant that in 1977 the United States terminated military assistance to that country. Developments over the past year, particularly the holding of constituent assembly elections earlier this year, have signaled a return to the democratic path.

It is my sincere hope and expectation that Sunday, November 3, will be the date that marks the dramatic turning point in Guatemala's history. The military permitted and encouraged an open honest election and has demonstrated its sincere desire to return to the barracks. I look forward to the successful holding of the Presidential runoff in December, to the inauguration of a civilian President on January 14, and to Guatemala's return to the democratic fold and to respect for human rights, which will bring a full normalization of United States-Guatemalan relations. At that point we must stand ready to assist and support the newly elected Guatemala Government in facing the difficult internal economic and political decisions which will be necessary to solidify these new democratic institutions and revitalize the economy.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SUNDQUIST) to revise and extend their remarks and include extraneous material:)

Mr. IRELAND, for 5 minutes, on November 6.

Mr. LUNGREN, for 60 minutes, on November 12.

Mr. STRANG, for 60 minutes, on November 6.

(The following Members (at the request of Mr. MacKAY) to revise and extend their remarks and include extraneous material:)

Mr. RAY, for 5 minutes, today.

Mr. STARK, for 5 minutes, today.

Mr. PANETTA, for 5 minutes, today.

Mr. BUSTAMANTE, for 5 minutes, today.

Mr. HAMILTON, for 5 minutes, today.

Mr. ANNUNIZIO, for 5 minutes, today.

Mr. PEASE, for 60 minutes, today.

Mr. FASCELL, for 10 minutes, today.

Mr. ALEXANDER, for 60 minutes, on November 21.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. SUNDQUIST) and to include extraneous matter:)

Mr. COURTER.

Mr. GINGRICH.

Mr. BROOMFIELD in three instances.

Mr. SCHAEFER.

Mr. SCHUETTE.

Mr. LAGOMARSINO.

Mr. LOTT.

Mr. MILLER of Ohio.

(The following Members (at the request of Mr. MacKAY) and to include extraneous matter:)

Mr. MARTINEZ.

Mr. MATSUI.

Mrs. LLOYD.

Mr. ROE.

Mr. BOSCO.

Mr. BARNES in two instances.

Mr. FASCELL in two instances.

Mr. HUBBARD.

Mr. LIPINSKI.

Mr. FRANK.

Mr. WYDEN.

Mr. EDGAR.

#### SENATE JOINT RESOLUTIONS REFERRED

Joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 130. Joint resolution designating the week beginning on November 10, 1985, as "National Blood Pressure Awareness Week, 1986"; to the Committee on Post Office and Civil Service.

S.J. Res. 213. Joint resolution to designate January 19 through January 25, 1986, as "National Jaycee Week"; to the Committee on Post Office and Civil Service.

S.J. Res. 219. Joint resolution to designate the week of February 9, 1986, through February 15, 1986, as "National Humanities Week, 1986"; to the Committee on Post Office and Civil Service.

#### ADJOURNMENT

Mr. GEJDENSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 32 minutes p.m.), the House adjourned until to-

morrow, Wednesday, November 6, 1985, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2211. A letter from the Secretary of Health and Human Services, transmitting the collection of these annual reports of the Public Health Service: health maintenance organizations; financial disclosure of health maintenance organizations; disease control programs and immunization; health services research, health statistics, and health care technology; family planning and population research; health information and health promotion; and continuation of pay for dentists, pursuant to 42 U.S.C. 300aa-10 PHSA, sections 2111 and 383(b), Public Law 98-24, section 2(a)(1) (97 Stat. 176), to the Committee on Energy and Commerce.

2212. A letter from the Attorney General, transmitting a report on the administration of the Foreign Agents Registration Act of 1938, as amended, pursuant to 22 U.S.C. 621; to the Committee on the Judiciary.

2213. A letter from the National Commander, AMVETS, transmitting proceedings of the national encampment, pursuant to 44 U.S.C. 1332; to the Committee on Veterans' Affairs.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BROOKS: Committee on Government Operations. Report on Federal regulation of direct investments by savings and loan associations (Rept. No. 99-358). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on Government Operations. Report on the role of the Overseas Private Investment Corporation (Rept. No. 99-359). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GEKAS:

H.R. 3682. A bill to amend section 3565 of title 18 of the United States Code to provide for the payment to the clerk of the court of fines or penalties imposed by a U.S. magistrate, and for other purposes; to the Committee on the Judiciary.

By Mr. HAMILTON:

H.R. 3683. A bill to reduce the use of limousines by Government officials; to the Committee on Government Operations.

By Mr. RICHARDSON:

H.R. 3684. A bill to designate the El Malpais lava flow and adjacent public lands as a national monument to be managed by the

Bureau of Land Management; to the Committee on Interior and Insular Affairs.

H.R. 3685. A bill to improve the management of the Chaco Culture National Historical Park and its related archeological protection sites; to the Committee on Interior and Insular Affairs.

By Mrs. SMITH of Nebraska:

H.R. 3686. A bill to direct the Secretary of Agriculture to convey, without consideration, to the State of Nebraska certain land to be used for the purposes of expanding the Chadron State Park, NE; to the Committee on Interior and Insular Affairs.

By Mr. WYDEN:

H.R. 3687. A bill to permit the Bell operating companies to provide information services and to manufacture telecommunications equipment so long as such services and manufacturing are not subsidized with the proceeds from the provision of local exchange telephone service or other regulated telecommunications services; to the Committee on Energy and Commerce.

By Mr. WHITTEN:

H.J. Res. 441. Joint resolution making further continuing appropriations for the fiscal year 1986; to the Committee on Appropriations.

By Mr. BONER of Tennessee:

H.J. Res. 442. Joint resolution to prohibit the Federal Communications Commission from permitting long distance carriers to bypass local telephone exchanges; to the Committee on Energy and Commerce.

By Mr. YATES:

H.J. Res. 443. Joint resolution to designate the week of February 9, 1986, through February 15, 1986, as "National Humanities Week, 1986"; to the Committee on Post Office and Civil Service.

By Mr. AU COIN (for himself, Mr. CONTE, Mr. ADDABBO, Mr. HORTON, Mr. BEDELL, Mr. TRAXLER, Mrs. BOXER, Mr. COELHO, Mr. LEVINE of California, Mr. HOYER, Mr. DICKS, Mrs. SCHROEDER, Mr. REID, Mr. FAZIO, Mr. EDGAR, Mr. HUTTO, Mr. CARPER, Mr. HALL of Ohio, Mr. WAXMAN, Mr. MRAZEK, Mr. MARKEY, Mr. EDWARDS of California, Mr. MOLLOHAN, Mr. FRANK, Mr. MATSUI, Mr. WEAVER, Mr. DOWNEY of New York, Mr. LANTOS, and Mr. DELLUMS):

H. Con. Res. 227. Concurrent resolution inviting citizens to light porch lights, candles, or other lights from dusk to dawn on November 19 and 20, 1985; to the Committee on Foreign Affairs.

#### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 69: Mr. DANNEMEYER.

H.R. 70: Mr. LIGHTFOOT and Mr. SMITH of New Hampshire.

H.R. 71: Mr. DANNEMEYER.

H.R. 75: Mr. BILIRAKIS and Mr. MYERS of Indiana.

H.R. 76: Mr. EMERSON and Mr. BILIRAKIS.

H.R. 77: Mr. GEJDENSON and Mr. COATS.

H.R. 97: Mr. DELAY, Mr. SWINDALL, Mr. BOULTER, Mr. HENDON, Mr. LIVINGSTON, and Mr. BILIRAKIS.

H.R. 183: Mr. GILMAN.

H.R. 385: Mr. COATS.

H.R. 983: Mr. GALLO, Mr. KRAMER, Mr. SCHUMER, Mr. BURTON of Indiana, Mrs. BENTLEY, Mr. MORRISON of Connecticut, Mr. STRANG, Mr. DICKS, Mr. HUTTO, and Mr. LEVINE of California.

H.R. 1345: Mr. BILIRAKIS.

H.R. 1682: Mr. STANGELAND.

H.R. 1809: Mr. GEJDENSON.

H.R. 2436: Mrs. BOXER, Mr. RAHALL, Mr. GORDON, Mr. MURPHY, Mr. JEFFORDS, and Mr. FORD of Michigan.

H.R. 2854: Mr. DUNCAN.

H.R. 3099: Mr. WALGREN.

H.R. 3129: Mrs. BOXER and Mr. MARTINEZ.

H.R. 3136: Mr. RANGEL, Mr. MACKEY, Mr. FUQUA, Mr. LEHMAN of Florida, Mr. HUTTO, Mr. CONYERS, Mr. SCHEUER, Mr. SMITH of Florida, and Mr. BENNETT.

H.R. 3139: Mr. BROYHILL.

H.R. 3167: Mr. RAY.

H.R. 3211: Mr. BROOMFIELD, Mr. HUGHES, Mr. CONTE, and Mr. SMITH of New Hampshire.

H.R. 3258: Mr. McGRATH, Mr. FISH, Mr. TOWNS, Mr. AU COIN, Mr. BIAGGI, Mr. ECKART of Ohio, Mr. SUNDSQUIST, Mr. DASCHLE, and Ms. MIKULSKI.

H.R. 3472: Mr. CHAPPELL, Mr. SMITH of Florida, Mr. LAGOMARSINO, Mr. BURTON of Indiana, Mr. TAUZIN, Mr. BATEMAN, Mr. DORNAN of California, Mr. HUCKABY, and Mr. MONTGOMERY.

H.R. 3474: Mr. STENHOLM, Mr. WIRTH, and Ms. KAPTUR.

H.R. 3522: Mr. MCCAIN.

H.R. 3537: Mr. WEAVER, Mr. FOGLIETTA, Mr. SEIBERLING, Mr. BARNES, Mr. WAXMAN, and Mr. SMITH of Florida.

H.R. 3596: Mr. LEHMAN of Florida.

H.R. 3634: Mr. RINALDO, Mr. ROYBAL, Mr. PEPPER, Mr. BORSKI, Mr. ST GERMAIN, Mrs. LLOYD, Mr. APPEGATE, Mr. MORRISON of Connecticut, Mr. NOWAK, Mr. WEAVER, Mr. MRAZEK, Mr. GUARINI, Mr. FOGLIETTA, Mr. ROE, Mr. EVANS of Illinois, Mr. WEISS, Mr. FRANK, Mr. DE LUGO, Mr. BEVILL, Mr. TOWNS, Mr. ENGLISH, Mr. ROSE, Mr. MATSUI, Mr. BARNES, Mr. WILLIAMS, Mr. FIELDS, and Mr. KANJORSKI.

H.J. Res. 401: Mr. HUBBARD, Mr. GREGG, Mr. SYNAR, Mr. EVANS of Iowa, Mrs. KENNELLY, Mr. SWINDALL, Mr. ROWLAND of Georgia, and Mr. FOWLER.

H.J. Res. 409: Mr. MOAKLEY, Mr. DORGAN of North Dakota, Mr. MATSUI, Mrs. KENNELLY, Mr. FLIPPO, Mr. KOSTMAYER, Ms. OAKAR, Mr. ERDBREICH, Mr. O'BRIEN, Mr. YOUNG of Florida, Mr. DWYER of New Jersey, Mr. ANNUNZIO, Mr. FRANK, Mr. HORTON, Mr. CARNEY, Mr. FAZIO, Mr. HENRY, Mr. GALLO, Mr. WORTLEY, Mr. DORNAN of California, Mr. DYSON, Mr. KINDNESS, Mr. HOWARD, Mr. ROE, Mr. DINGELL, Mr. RAHALL, Mr. SUNIA, Mr. LAGOMARSINO, Mr. LaFALCE, Mr. ECKART of Ohio, Mr. PORTER, Mr. McGRATH, Mrs. COLLINS, Mr. HUGHES, Mr. DANNEMEYER, Mr. DEWINE, Mrs. BENTLEY, Mr. BIAGGI, Mr. KOLTER, and Mr. BATEMAN.

H. Con. Res. 101: Mr. EDGAR and Mr. SAVAGE.

H. Con. Res. 129: Mr. DORNAN of California, Mr. RITTER, and Mrs. JOHNSON.

H. Con. Res. 180: Mr. OLIN, Mr. COUGHLIN, Mr. FOGLIETTA, Mr. MINETA, Mr. PEPPER, and Mrs. LLOYD.

H. Con. Res. 213: Mr. GINGRICH.

H. Res. 165: Mr. TRAFICANT.

H. Res. 234: Mr. BURTON of Indiana.

H. Res. 260: Mr. ZSCHAU.

H. Res. 304: Mr. HILLIS, Mr. SILJANDER, Mr. FISH, Mr. PETRI, Mr. BILIRAKIS, Mr. SOLOMON, Mr. DORNAN of California, Mr. WHITTAKER, Mr. FRANK, Mr. PORTER, Mr. CAMPBELL, Mr. MADIGAN, Mr. LEVINE of California, and Mr. SKEEN.

#### AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 6

By Mr. ENGLISH:

(Amendment to the amendment to the nature of a substitute (text of H.R. 3670).)

—On page 366, strike lines 8 through 22 and all that is contained therein and insert in lieu thereof the following:

"Section 201 of the Flood Control Act of 1970, as amended by Section 153 of the Water Resources Development Act of 1976, is amended by striking out the last sentence under the heading 'ARKANSAS-RED RIVER BASIN' and inserting in lieu thereof the following: 'Construction shall not be initiated on any element of such project involving the Arkansas River Basin until such element has been approved by the Secretary of the Army. The chloride control projects for the Red River Basin and the Arkansas River Basin shall be considered to be authorized as separate projects with separate authority under Section 203 of the Flood Control Act of 1966, as amended.'"

By Mr. MILLER of California:

(Amendment to the amendment to the nature of a substitute (text of H.R. 3670).)

—Beginning on page 399, line 6, through page 411, line 19, delete all of Title XII and renumber the subsequent titles and sections accordingly.

—On page 411, delete lines 14 and 15 and renumber the subsequent sections accordingly.

—Beginning on page 409, line 6, through page 411, line 12, delete all of "Subtitle C—Assistance for State Water Planning and Management", and renumber the subsequent sections accordingly.

—Beginning on page 399, line 19, through page 409, line 5, delete all of "Subtitle B—National Board", and renumber the subsequent sections accordingly.

—(1) On page 399, line 19, delete all through page 403, line 16.

(2) Beginning on page 403, line 17, insert the following:

#### SUBTITLE B—PRINCIPLES AND STANDARDS

"Sec. 1221. (a) The Secretary shall establish by rule, after such consultation with other interested entities, both Federal and non-Federal, as the Secretary may find appropriate, principles, standards, and procedures for Federal participants in."

(3) On page 404, line 17, delete "The Board" and insert in lieu thereof: "The Secretary of Agriculture".

(4) Starting on page 405, line 3, delete all through page 407, line 14.

(5) Beginning on page 407, line 15, insert the following:

"Sec. 1222. (a) Simultaneously with promulgation or repromulgation of any rule by the Secretaries under authority of Sec. 1221 of this Act or under authority or."

(6) On page 407, line 21, delete "the Board" and insert in lieu thereof: "the Secretaries".

(7) Beginning on page 408, line 11, delete all through page 411, line 19.

—On page 403, line 24, delete "regional economic development," and on page 404, line 1 through line 2, delete "the well-being of the people of the United States, the prevention of loss of life,".

—Page 184, after line 20 insert the following new section:

"Sec. 631. (a) The Secretary is authorized and directed to conduct a study on the op-



portunities for the recovery of costs allocated to irrigation storage or conservation storage at water resources projects constructed by the Corps of Engineers. Such study shall indicate for each project—

“(1) the current status of repayment of reimbursable costs;

“(2) how the Secretary intends to recover the cost allocated to conservation storage or irrigation storage; and

“(3) detailed estimates of revenue resulting from existing and probable future contracts for such storage.

“(b) The Secretary is further authorized and directed to submit a report presenting the current distribution of project benefits, including irrigation, among project purposes relative to the original cost allocation for each project constructed by the Corps of Engineers which provides water for irrigation and—

“(1) such project has not, by Federal statute, explicitly been designated, made a part of, or integrated with a Federal reclamation project; and

“(2) no project works have been provided pursuant to Federal reclamation law for the control or conveyance of an agricultural water supply.

Such report shall be accompanied by the views of the Army Audit Agency and shall include the conclusions and recommendations of the Secretary regarding administrative, regulatory, and/or statutory means of

adjusting the cost allocations to more accurately reflect the current use of the project, including the equitable payment of irrigation capital and operation and maintenance costs.

“(c) Not later than eighteen months after the date of enactment of this Act, the Secretary shall submit a report of the studies required by this section, together with recommendations, to the Committee on Public Works and Transportation and the Committee on Interior and Insular Affairs of the House of Representatives and to the Committee on Environment and Public Works and the Committee on Energy and Natural Resources of the Senate.”.

By Mr. PETRI:

(Amendment to the amendment in the nature of a substitute (text of H.R. 3670).)

—Page 362, strike out lines 14 through 18 and insert in lieu thereof the following:

Sec. 1159. The provisions of section 302 of this Act shall apply.

—Page 399, after line 5 add the following new section:

“Sec. 1199K. Notwithstanding any other provision of law, the unpaid balance of principal allocated to power for facilities constructed by the Secretary, including that portion of the unpaid balance of principal for such irrigation facilities to be repaid from power revenues shall be repaid annually beginning in fiscal year 1988 at a level not less than would be required under a straight-line amortization schedule as ap-

plied separately to each investment placed in service; *Provided*, That this amortization schedule may be phased in over several years, starting in 1988, if necessary to limit to five percent per year the annual increase in the revenue requirement that is solely attributable to the increase in scheduled repayments required by this section, compared to the most recent repayment schedule approved by the Federal Energy Regulatory Commission; *Provided further*, That principal repayments may be deferred in years with low hydroelectric generation, subject to the same terms and conditions applicable to deferred payments of interest.”

By Mr. SOLOMON:

(Amendment to the amendment in the nature of a substitute (text of H.R. 3670).)

—Page 122, after line 19, add the following new subsection:

(f) If any provision in any report designated by subsection (a) recommends that Federal participation in the cost of periodic beach nourishment extend for more than 15 years following the initial beach fill placement, such provision shall not apply to the project recommended in such report.

—Page 354, strike out lines 19 through 21, and renumber succeeding sections accordingly.

—Page 356, line 4, strike out “(1)”.

Page 356, line 5, strike out “, and” and all that follows through the period on line 7 and insert in lieu thereof a period.